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अप विज्ञान Jai Vigyan



वैज्ञानिक जागरूकता वर्ष  
Year of Scientific Awareness

Rajya Sabha  
Parliament Matter  
Most Immediate

27

28

फाइल सं०

File No. 11012/78/06-CDN

खण्ड

Volume

भारत सरकार

GOVERNMENT OF INDIA

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

अनुभाग

Section

टिप्पणियां/पत्राचार

NOTES/CORRESPONDENCE

को सूचीकृत की गई

Indexed on

आद्याक्षर

Initials

अभिलेख क/ख

Record A/B

अभिलेख ग ..... में नष्ट गए

Record C Destroyed in

नोट किया जाए

अनुभागीया नोट बुक

नोट न किया जाए

To be noted

In Sectional Note Book

Not to be noted

अनु० अ०/अधीक्षक के हस्ताक्षर

Initials of S.O./Supdt.

लिपिक के हस्ताक्षर

Initials of Clerk

विषय

SUBJECT

Short duration discussion  
on J.M.C.I report in  
the Rajya Sabha.

Note - 02

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पिछले हवाले

Previous References

बाद के हवाले

Later References

16/11/15

28

27



**Sub: Short duration discussion on the Report of Justice Mukherjee Commission in the Rajya Sabha.**

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Placed below is a Calling Attention Notice dated 4.8.2006 given to the Secretary General, Rajya Sabha, by Shri Moinul Hassan, MP, under rule 180 of the Rules of Procedure and Conduct of Business in the Rajya Sabha requesting the Hon'ble HM to make a statement on the following –

**“REPORT OF JUSTICE MUKHERJEE COMMISSION”**

✓ P. 3/c  
2. Hon'ble HM has desired that this may be admitted as a Short Duration Discussion. Accordingly, a request has been made to the Secretary General of Rajya Sabha Secretariat for necessary action, with copy to US (Parliament).

3. The following papers are placed below –

1. A brief note on the report of JMCI.
  2. A statement on the report of JMCI.
  3. A copy of the ATR along with delay statement placed before both the Houses of Parliament on 17.5.2006.
  4. A chapter-wise gist of the report of JMCI (Vol.I).
  5. A comparison among the reports of the Shah Nawaz Committee, Khosla Commission and this Commission.
  6. Copy of the Cabinet Note.
  7. Copy of letter of Cabinet Secretariat dated 11.5.2006.
  8. Copy of CCMB letter dated 4.4.2006.
  9. Some anticipated questions and their replies.
  10. A copy of discussion took place on JMCI in the Lok Sabha on 2.8.2006.
- (150/28)



(2)

11. Remarks on important points raised by Shri Prabodh Panda, MP, and Shri Subrata Bose, MP, during their speech in the Lok Sabha on 2<sup>nd</sup> and 3<sup>rd</sup> August, 2006 on the report of JMCI.
12. A copy of Hon'ble HM's reply to the discussion on the report of JMCI made on 7.8.2006.

Sugarswami  
8.8.06  
(S.K. Goswami)  
Under Secretary

OSD(S)

JS(S)

AS (BM)

Home Secretary

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8/8/2006

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Bhamani  
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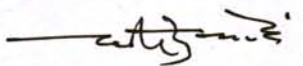




1  
अति तत्काल  
संसदीय मामला

संसदीय कार्य मंत्रालय  
(विधायी- I अनुभाग)

सूचना कार्यालय, राज्य सभा सचिवालय से प्राप्त ध्यानकर्षण प्रस्ताव (प्रस्तावों) को गृह मंत्री के निजी सचिव को भेजा जाता है । क्योंकि नोटिस की स्वीकार्यता का निर्णय माननीय सभापति, राज्य सभा द्वारा दिया जाना है यह अनुरोध है कि इस मामले के संबंध में वास्तविक स्थिति इस मंत्रालय को सूचित करते हुए राज्य सभा सचिवालय को प्रत्यक्ष भेजी जाए ।

  
(डी. चौबे)  
अनुभाग अधिकारी (वि.- I)

संलग्नक: उपर्युक्त

-----गृह-----मंत्री के निजी सचिव  
सं.का.म.यू.ओ.न.फा.४३(३)/२००६ विधायी- I दिनांक- 4-8-06



②



(Form RSL : 1)

**RAJYA SABHA**

## CALLING ATTENTION NOTICE

Date. 4/8/06

FROM:

MOINUL HASSAN MP

To

THE SECRETARY-GENERAL,  
RAJYA SABHA,  
NEW DELHI.

**Sir,**

Under rule 180 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I hereby give notice of my intention to call the attention of the Minister of Home Affairs on Next Week to the following matter of urgent public importance and to request that the Minister may make a statement thereon.

**“Report of Justice Mukherjee Commission.”**

Yours faithfully,

URGENT

It may not be admitted *—* *—*  
in the form of calling  
attention. It may be  
*Member, Rajya Sabha*  
*88*  
*Division No. ....*

**Member, Rajya Sabha**

Division No. ....

Copy to:

- (1) The Minister of Home Affairs

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~~AS (Bm)~~

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at  
4/8/06



## राज्य सभा

### ध्यान दिलाने के लिये सूचना

दिनांक.....

प्रेषक:

....., संसद सदस्य।

सेवा में,

महासचिव,  
राज्य सभा,  
नई दिल्ली।

महोदय,

राज्य सभा के प्रक्रिया तथा कार्य संचालन विषयक नियमों के नियम 180 के अधीन इसके द्वारा मैं ..... को अविलम्बनीय लोक महत्व के निम्नलिखित विषय पर ..... मंत्री का ध्यान दिलाने के अपने इरादे की सूचना देता हूँ और निवेदन करता हूँ कि मंत्री महोदय उस पर एक वक्तव्य दें।

भवदीय,

सदस्य, राज्य सभा

विभाजन संख्या.....

प्रति निम्नलिखित के लिये,

(1)..... मंत्री।

(2) संसदीय कार्य मंत्री।



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No. 11012/78/2006-Cdn.  
Government of India  
Ministry of Home Affairs

\*\*\*\*\*

Lok Nayak Bhavan, Khan Market,  
New Delhi, Dated: August 8, 2006.

The Secretary General,  
Rajya Sabha Secretariat,  
Parliament House,  
New Delhi.

Sub: Calling Attention Notice dated 4.8.2006 given by Shri Moinul Hassan, MP, regarding Report of Justice Mukherjee Commission.

Sir,

Kindly refer to the Calling Attention Notice dated 4<sup>th</sup> August, 2006 given by Shri Moinul Hassan, MP, under rule 180 of the Rules of Procedure and Conduct of Business in the Rajya Sabha regarding "Report of Justice Mukherjee Commission".

2. Hon'ble Home Minister has desired that this may kindly be admitted as Short Duration Discussion.
3. You are, therefore, requested to kindly take necessary action in this regard.

Yours faithfully,

*B. Bhamathi*

(B. Bhamathi) 8/8/06

Joint Secretary (Security)

*copy forwarded for information and  
necessary action to LS (Parl), MHA,  
North Block, New Delhi.*



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Ministry of Home Affairs  
(Security Division)

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**NOTE ON JUSTICE MUKHERJEE COMMISSION**  
**REPORT**

Government of India by Notification dated 14<sup>th</sup> May, 1999 appointed the Justice Mukherjee Commission of Inquiry headed by Justice M.K. Mukherjee, Retired Judge of the Supreme Court, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith, including –

- a) whether Netaji Subhas Chandra Bose is dead or alive;
- b) if he is dead, whether he died in the plane crash, as alleged;
- c) whether the ashes in the Japanese temple are ashes of Netaji;
- d) whether he has died in any other manner at any other place and if so, when and how; and
- e) if he is alive, in respect of his whereabouts.

The Commission after examining 131 witnesses, visiting U.K., Japan, Taiwan, Bangkok and the Russian Federation and after going through 308 exhibits, has submitted its findings on 8<sup>th</sup> November, 2005 as follows –



- a) Netaji Subhas Chandra Bose is dead.
- b) He did not die in the plane crash, as alleged.
- c) The ashes in the Japanese temple are not of Netaji.
- d) In the absence of any clinching evidence a positive answer cannot be given.
- e) Answer already given in (a) above.

Government of India examined the report of JMCI thoroughly along with those of Shah Nawaz Committee and Khosla Commission. It has been observed that Justice Mukherjee Commission's inquiry was inconclusive in many ways, it is unable to provide a definitive finding on several issues and is at variance with past well accepted Inquiry Commission's findings in some critical areas and in the light of this, the Government has accepted regretfully that Netaji is dead but does not agree with the findings that –

- a) Netaji did not die in the plane crash; and
- b) The ashes in the Renkoji Temple were not of Netaji.

JMCI has concluded that Netaji did not die in the plane crash because of non-availability of records relating to the air crash. But, as mentioned by Khosla Commission in their report, "The papers in the plane must have perished in the fire, because the front portion of the plane where they would normally be kept was completely destroyed." Khosla Commission also stated that "It is only conjecture that such papers must have been prepared ergo, their non-production disproves the crash story. It is against reason, common sense and the rules of



evidence to base a conclusion on such an unjustifiable and unsubstantiated assumption.”

Government of India accepted the findings of the Shaw Nawaz Committee set up in 1956, where the Committee after examining the witnesses (some of them were co-passengers in the same ill-fated plane and survived the crash) stated that “It will thus be seen that the evidence given by witnesses before us as to Netaji’s death is corroborated by the findings of British and American Intelligence organizations who undertook independent enquiries very soon after the occurrence, and the conclusion of an unofficial enquiry conducted a year later by an Indian journalist. As for the witnesses who have deposed before us, neither from their antecedents, nor from the manner in which they made their statements, has the Committee any reason to disbelieve their stories. These witnesses are of different nationalities. Some were Japanese, Col. Habibur Rehman, an Indian (now a Pakistani), and Col. Figgess, an Englishman. They were unconnected with each other and came from different walks of life. There is absolutely no reason why they should come and depose to something which they know to be untrue.”

The Shah Nawaz Committee also stated in the report that “They all point to the fact that Netaji Subhas Chandra Bose died at Taihoku Military Hospital on the night of the 18<sup>th</sup> August, 1945. We accept this conclusion.”



The Committee also stated in the report that "Most of the Japanese witnesses are not now connected with the Government of Japan, and are in no way obliged to give evidence according to any particular brief."

The Committee stated in Chapter VII that "The Commission has come to the conclusion that Netaji Subhas Chandra Bose met his death in an air crash, and that the ashes now at Renkoji temple, Tokyo, are his ashes."

Khosla Commission, appointed in 1970, also stated that "..... I have reached the conclusion that the story of the aircrash at the Taihoku airfield in Taiwan and the subsequent death of Bose, resulting from burn injuries sustained by him in the crash must be believed. This story is substantiated by the testimony of wholly independent witnesses, four of whom were Bose's co-passengers in the plane which crashed, one is the doctor who attended to him and signed his death certificate and several others mentioned in the course of this chapter who have corroborated this story in all material particulars." The Commission also stated that "Most of the witnesses who gave evidence impressed me by their frank and honest demeanour. The Doctor, too, appeared to be a most convincing witness of truth."

Khosla Commission also stated that "I, therefore, find it proved beyond all reasonable doubt that Bose traveled in a Japanese bomber from Touraine to Taihoku on the morning of 18<sup>th</sup> of August, 1945. At Taihoku the plane stopped for a short time to refuel. The pilot



detected a snag in one of the engines. This was attended to, and the pilot pronounced the aircraft to be airworthy. The propellers of one of the engines had been damaged in a previous accident and the repair carried out did not completely restore the efficiency of the engine. This finally caused the crash at Taihoku, almost immediately after the plane took off. The plane crashed to the ground, broke into two parts and caught fire. In this fire the pilot and the Genl. Shidei died instantaneously and of the other men on board, the co-pilot Ayoagi died later and Bose also succumbed to his burn injuries during the course of the following night. His body was cremated and the ashes were taken to Tokyo."

The Shah Nawaz Committee has given a detailed account as to how the ashes were taken from Taihoku to Tokyo in Chapter V of the Report under the heading "Netaji's Ashes". In para 7 of Chapter V, the Committee has stated that "From what has been said, it will be seen that the ashes were moved in stages from the crematorium to Nishi Honganji temple, from there to Minami Aerodrome, and thence to Tokyo Imperial General Headquarters. The progress thereafter was from the Imperial General Headquarters, first to Mr. Ramamurti's house, and then to Mrs. Sahay's house and finally to the Renkoji temple. There is no break in the chain."

In Chapter VII of the report, Shah Nawaz Committee has stated under the heading "Recommendation" that "The Committee has come to the conclusion that Netaji Subhas Chandra Bose met his death in an air crash, and that the ashes now at Renkoji temple, Tokyo, are his ashes."



Khosla Commission has also stated that "His body was cremated and the ashes were taken to Tokyo."

So, the Government found it difficult to accept the report of JMCI in its totality, because non-availability of documents does not disprove the story of the air crash at Taihoku on 18<sup>th</sup> August, 1945 in the face of overwhelming evidence of witnesses (some of whom were co-passengers in the same ill-fated plane and suffered severe burn injuries themselves) tendered before the Shah Nawaz Committee and Khosla Commission. Accordingly, a Memorandum of Action Taken Report was placed before both the Houses of Parliament on 17<sup>th</sup> May, 2006.



**SHORT DURATION DISCUSSION ON THE REPORT OF  
JMCI AND ATR THEREON – BRIEF ON THE SUBJECT.**

Government of India by Notification dated 14<sup>th</sup> May, 1999 appointed the Justice Mukherjee Commission of Inquiry headed by Justice M.K. Mukherjee, Retired Judge of the Supreme Court, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith.

The Commission after examining 131 witnesses, visiting U.K., Japan, Taiwan, Bangkok and the Russian Federation and after going through 308 exhibits, has submitted its findings on 8<sup>th</sup> November, 2005 stating that Netaji is dead, but did not die in the plane crash, as alleged. It has also concluded that the ashes in the Renkoji Temple of Tokyo are not of Netaji.

Government of India examined the report of JMCI thoroughly. It has been observed that the Commission's inquiry was inconclusive in many ways and it has not been able to provide definitive findings in the Report. The findings are also at variance with past well-accepted Inquiry Commission's findings in some critical areas. In the light of above, the Government did not agree with the findings that Netaji did not die in the plane crash; and that the ashes in the Renkoji Temple were not of Netaji.



The findings of the JMCI that Netaji did not die in the plane crash are based on non-availability of 'clinching evidence'. Shah Nawaz Committee of 1956 and Khosla Commission of 1970 also encountered the same predicament. They, therefore, relied on the oral evidence of the witnesses including those who were co-passengers of Netaji in the said ill-fated plane and came to the conclusion that Netaji died in the plane crash on 18<sup>th</sup> August, 1945 and that he was cremated in Taiwan Crematorium and his ashes were taken to Tokyo and preserved in the Renkoji Temple.

Justice Mukherjee Commission's findings, therefore, do not disprove the plane crash story in the face of overwhelming oral evidence, particularly of those who were co-passengers of Netaji and also the Doctors and staff of the Hospital where he was treated for third degree burn injuries sustained in the plane crash. The earlier Committee and Commission relied on the evidence of people who were eye witnesses of the accident and some of them even experienced the trauma and pain of the crash. Thus, the Government of India finds it difficult to accept the conclusions of the Justice Mukherjee Commission of Inquiry.



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12 23  
AUTHENTICATED  
*Shivaji V. Patil*  
SHIVAJI V. PATIL  
HOME MINISTER

**MEMORANDUM OF ACTION TAKEN ON THE REPORT  
OF THE JUSTICE MUKHERJEE COMMISSION OF INQUIRY REGARDING  
THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE**

By Government of India Notification No. S.O. 339(E) dated 14<sup>th</sup> May, 1999, Shri M.K. Mukherjee, retired Judge of the Supreme Court of India, was appointed under the Commissions of Inquiry Act, 1952, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including –

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash, as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
- (d) whether he has died in any other manner at any other place and, if so, when and how;
- (e) if he is alive, in respect of his whereabouts.

2. The Government have examined the Report submitted by the Commission on 8<sup>th</sup> November, 2005 in detail and have not agreed with the findings that -

- (a) Netaji did not die in the plane crash; and
- (b) the ashes in the Renkoji Temple were not of Netaji.

3. This Report is placed before the Houses as required under sub-section (4) of Section 3 of the Commissions of Inquiry Act, 1952.



(14)  
AUTHENTICATED  
*Shivaji V. Pathy*  
SHIVAJI V. PATHY  
HOM. MINISTER

STATEMENT OF REASONS FOR DELAY IN TABLING THE REPORT OF THE  
JUSTICE MUKHERJEE COMMISSION OF INQUIRY INTO THE ALLEGED  
DISAPPEARANCE OF NETAJI SUBHAS CHANDRA BOSE.

The Justice Mukherjee Commission of Inquiry was set up by the Government of India on 14<sup>th</sup> May, 1999 under the Commissions of Inquiry Act, 1952, to inquire into the alleged disappearance of Netaji Subhas Chandra Bose.

The Commission submitted its report on 8<sup>th</sup> November, 2005. As per the provision of Sub-section 4 of Section 3 of the Commissions of Inquiry Act, 1952, the Report submitted by the Commission is to be Tabled before each House of Parliament within a period of six months of the submission of the report by the Commission i.e. before 7<sup>th</sup> May, 2006..

The incidental delay has been occasioned by time taken in translation, printing, consideration of the report by the Government, its approval by the Cabinet and the adjournment of Parliament on 22<sup>nd</sup> March, 2006



## CHAPTER ONE – PREAMBLE

Here the background has been enumerated. It mentions about the appointment of the three-member Committee in 1956 with Shri Shah Nawaz Khan as its members. After considering the evidence collected by the Committee, two of them (Shri Shah Nawaz Khan and Shri S.N. Maitra) came to the conclusion that Netaji had died in the plane crash. Shri Suresh Chandra Bose submitted a dissenting report stating that there had been no plane crash involving Netaji's death. The majority report was accepted by the Government.

2. The majority report of the Committee did not, however, satisfy the public in general. So, the Government of India appointed another Commission headed by Shri G.D. Khosla, Retired Chief Justice of Punjab High Court, in 1970. This Commission also came to the conclusion that Netaji had succumbed to his injuries sustained in the plane crash at Taihoku and that his ashes had been taken to Tokyo.

3. The findings of the Khosla Commission also did not end the controversy surrounding Netaji's death. So, Government of India appointed another Commission under Justice M.K. Mukherjee in 1999.

4. The terms of reference of this Commission was to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including –

- a) whether Netaji Subhas Chandra Bose is dead or alive;
- b) if he is dead, whether he died in the plane crash, as alleged;
- c) whether the ashes in the Japanese temple are ashes of Netaji;
- d) whether he has died in any other manner at any other place and, if so, when and how;
- e) if he is alive, in respect of his whereabouts.

## CHAPTER TWO – THE INQUIRY

In Chapter Two of the report, the Commission has mentioned the following difficulties which they encountered in the course of the inquiry –

- i) The Commission did not get file No. 12(226)/56-PM (Investigation into the circumstances leading to the death of Subhash Chandra Bose) and the stand taken by the Cabinet



Secretariat about this file, according to the Commission, is "evasive and unfathomable" (Page 13).

- ii) U.K. Government did not give access to two files as they were "closed" (meaning cannot be divulged) (Page 18).
- iii) The Commission requested the MEA for engagement of suitable scholars or students of post-graduate class preferably of law, historical research, political science etc. to do archival research at various American repositories of relevant historical documents on Netaji, as agreed to by the Director of Textual Archives Services Division of the USA. But it was not acceded to by MEA (Page 21).
- iv) The Commission wanted access being given by the Renkoji Temple authorities to a Scientist for the purpose of collection of the potentially less charred pieces of bones from the contents of the urn kept there for DNA test. But this could not be done for the Temple authority's reticence (Page 31).

2. Here the Commission mentions that owing to lapse of long time, a considerable number of witnesses whose evidence might have been helpful to this inquiry were found to be either dead or untraceable or too old and infirm to depose and quite a number of documents which might have been relevant to the inquiry could not be traced. In this connection the Commission points out that in compliance with its direction, Govt. of India filed two applications supported by affidavits claiming privilege under Sections 123 and 124 of the Evidence Act and Article 74(2) of the Constitution of India in respect of documents contained in three files. The Commission also mentions here that it visited England, Taiwan and Russian Federation in connection with the inquiry.

3. Although the Indian Evidence Act was not be applicable to the proceedings before the Commission as held by High Court and Supreme Court, it treated only those materials brought before it as evidence which were legally probative for a prudent mind.

### **CHAPTER THREE – WHETHER NETAJI SUBHAS CHANDRA BOSE IS DEAD OR ALIVE**

Under this Chapter, the Commission has mentioned the following versions relating to the death of Netaji –

- i) He was murdered at Red Fort in Delhi on August 15, 1945;
- ii) He died in an air crash at Taihoku (now Taipei) in Taiwan (formerly Formosa) on August 18, 1945.



- iii) He died at Dehradun, Uttar Pradesh (now Uttaranchal) in 1977;
- iv) He died at Sheopurkalan in the State of Madhya Pradesh on May 21, 1977; and
- v) He died at Ram Bhawan in Faizabad, Uttar Pradesh, on September 16, 1985.

2. The Commission has stated that the average life span of an Indian is 70 – 75 years and that Netaji would be more than 108 years now (his date of being 23<sup>rd</sup> January, 1897). It has also added that it is 'possible' for a person to live beyond the average life span of an Indian and in a rare case even more than 100 years. But it has been mentioned that any person or authority entrusted with the duty of investigating into a question of fact has to find an answer thereto depending on whether it is 'probable' and not 'possible'. The distinction between the above two expressions is that while the former means what is likely to happen in the common course of events, the latter means what is unlikely to happen in the common course of events, but may happen in exceptional cases.

3. It has been mentioned that judged in the light of the above principle, if it is found that none of the versions regarding Netaji's death is substantiated, the only legitimate inference that can be drawn at this distant point of time is that Netaji is no more. And on this analogy, the Commission has delved into the different versions of Netaji's death one by one in Chapter Four.

#### **CHAPTER FOUR – DIFFERENT VERSIONS OF NETAJI'S DEATH**

##### **(i) Death in the Red Fort:**

One Shri Usha Ranjan Bhattacharjee, a resident of Kolkata, filed a statement, supported by an affidavit, before the Commission contending that Netaji was deliberately murdered in the Red Fort on 15<sup>th</sup> August, 1945 at zero hour. His attention was drawn to a book written by him titled 'Netajike Lal Kellai Hotya' (Netaji was murdered in Red Fort) and when he was asked as to the source of his knowledge of the murder, he stated "the story was given out of presumption and assumption". In view of such admission and absence of any other evidence, the Commission rejected the contention being a figment of imagination.

##### **(ii) Death in the plane crash:**

The Commission has mentioned here at the outset that it is not an appellate body sitting in judgment over the finding of the earlier Committee



and Commission (Shah Nawaz Committee and Khosla Commission) and that it has to answer the question (i.e. whether Netaji died in the plane crash) afresh without being in any way influenced by the reasons that weighed on them (the Committee and the Commission) in arriving at their respective conclusions.

2. The Commission has narrated the story of the plane crash as follows –

In the afternoon of August 15, 1945, while Netaji was in Singapore, the Government of Japan officially announced their surrender to the Allied Powers. Although Netaji was also willing to surrender, but his colleagues persuaded him not to do that and instead advised him to go to some Russian territory. Netaji left for Bangkok along with Col. Habibur Rahman and others on August 16, 1945. From there, he went to Saigon on August 17, 1945. As the plane in which Netaji reached Saigon developed some problem, Netaji and Col. Habibur Rahman were accommodated in a Japanese plane and left Saigon for Tokyo via Manchuria and arrived at Tourane on the same day i.e. August 17, 1945. On August 18, 1945, they left for Taihoku (in Formosa) and after a brief halt there for refueling, the plane took off from Taihoku. But immediately thereafter the plane crashed in the airfield and burst into flames. Netaji had suffered serious burn injuries and taken to the military hospital where he succumbed to his injuries. Col. Habibur Rahman suffered minor injuries. Netaji was cremated a day or two later in the Crematorium of Taipei and the ashes were collected and sent in a box to Tokyo and ultimately enshrined in the local Renkoji Temple.

3. To prove Netaji's death in the plane crash, seven witnesses were testified before the Commission. None of them had any personal knowledge about the death of Netaji in the plane crash, nor did they produce any contemporary documents in support thereof. Their assertion on this point was based on either hearsay or belief or result of inquiries. So, the Commission did not find that to be admissible evidence or reliable evidence to hold that Netaji died in the plane crash.

4. In course of argument, the deponents and/or their learned counsel put forward the following grounds before the Committee, earlier Commission and this Commission against the evidence of those who spoke in support of the story of the plane crash –

- i) Evidence is bristled with material discrepancies and contradictions.
- ii) If the bomber in which Netaji was traveling had no seats and for that matter no seat belt and all passengers were squatting on the floor of the plane and as the plane had nosedived from a



height of about 12 – 14,000 feet, all the luggage and passengers would be thrown near the cockpit and in that event even half of the passengers could not have survived (as per the evidence only two died on the spot and the rest could come out). Also, as per the evidence, Netaji was seated adjacent to the petrol tank and as such gasoline from the tank fell all over his body resulting in third degree burns. This could not be believed because at the time when the plane was nosediving, Netaji could not remain seated near the petrol tank.

- iii) Not a scrap of paper was there to corroborate the oral version of the plane crash. This was important because two very important persons – Netaji, the head of the Provisional Government of Free India, which was recognized by the Japanese Government, and Shidei, a General of the Japanese army - died in the plane crash.
- iv) The Government of Taiwan and the Taipei City Government admitted before the Chairman of the Commission that they had no document in proof of the fact that there was any plane accident at the material time.
- v) Senior Counsel appearing for Government of India submitted that there were glaring discrepancies in the evidence adduced regarding the accident.

5. Then the Commission has stated the sequence of events relating to Netaji's treatment in the hospital, his death and cremation as follows –

According to Dr. Yoshimi, who was examined by the earlier Committee, Commission and this Commission, was acting as the chief of Nanmon Military Hospital, Taihoku, where Netaji and other injured were brought after the plane crash, stated that Chandra Bose (as Netaji was so called by the Japanese) had suffered severe burns (third degree) and had little chance of survival. He treated him first and he died shortly after 8 PM. On the night of Netaji's death, Dr. Yoshimi prepared and signed a death certificate writing his name in Japanese (Kata Kana) as "Chandra Bose" and giving the cause of death as "burns of the third degree".

As regards the cremation, initially it was decided to take the body to Tokyo; but subsequently it was decided to cremate it at Taihoku. As deposed by Col. Habibur Rahman before the Shah Nawaz Committee, on August 20 the coffin was taken to Taihoku City Government Crematorium for cremation. On the next day, according to Buddhist custom, a bone from every portion of the burnt body was picked and placed in a wooden box of



about 8" cube and taken to Nishi (West) Honganji Temple and a special ceremony was held on that day.

6. This evidence has been challenged on the following grounds –

- a) No hospital record regarding nature of injury and nature of treatment given to Netaji is available. Also, no certificate to prove that the dead body was duly cremated is available.
- b) No photograph of the dead body was taken either at the hospital or at the crematorium as an evidence of identification.
- c) Although Netaji was the head of an independent State which was recognized by nine countries including Japan, no military honours befitting a head of an independent State appeared to have been given to the deceased at the time of the funeral.

7. The Commission has stated that after August 23, 1945, when the news of Netaji's death was broadcast and prior to the appointment of Shah Nawaz Committee, quite a number of inquiries were held by the British and the American intelligence authorities to ascertain the truth. But reports of these inquiries indicate that they relied solely upon oral testimony without caring to search for the relevant records of Taihoku airport, the army hospital, Taipei Municipal Bureau of Health & Hygiene (Bureau) etc. One Shri Harin Shah, the editor of "Indian Worker", which was the official journal of Indian National Trade Union Congress, and who testified as a witness before the Shah Nawaz Committee, paid a visit to Taipei towards the end of August, 1946 and made an inquiry into the story of the air crash and of Netaji's Death at Taihoku. In the Bureau's office at Taipei, he met two clerks through the Director and got the following records –

- i) Doctor's report on the death of Netaji;
- ii) The police officer's report; and
- iii) The Certificate issued by the Bureau permitting cremation.

The English translation of the Doctor's report shows that the name mentioned was Okara Ichiro, date of death 19<sup>th</sup> August, 1945 and nature of sickness was Heart Failure.

8. Shri Shah next stated that the police report and the cremation permit also more or less tallied with the Doctor's report. On being asked as to why false particulars had been furnished in the certificate with regard to the identity and other details of Netaji, it was replied that the Japanese officer accompanying the dead body had told them that for state reasons the



particulars of the person had to be kept confidential. The Commission has stated here that the particulars in the documents did not relate to Netaji.

9. The Commission has also mentioned that during Shah Nawaz Committee inquiry also these reports were obtained. This Commission, however, did not get them from the Government of India. They obtained the same from the U.K. National Archives on their own initiative. Further, during that time the Japanese Government was also requested to produce the same documents and the Ministry of Foreign Affairs of the Japan Government forwarded a copy of entry in Serial No. 2641 of the Cremation Register made by the Bureau in Taipei and the name mentioned was Ichiro Okura. The three sets of documents received from three different sources viz. from the office of the Director of Bureau, Taipei, from the U.K. National Archives and from the Japanese Government, unerringly demonstrate that the particulars furnished therein tally with one another.

10. Thereafter the Commission has stated that according to the regulations then prevailing in Taipei, for cremation of a dead body, a doctor's report of his death had to be obtained first. Then an application in the prescribed form for a permit for cremation was required to be filed by a family member of the deceased. In that form, detailed particulars regarding date of birth, nature of illness causing the death etc. were required to be furnished to obtain the permission to cremate the dead body. However, during the war, in case of military personnel without family members there, permission for cremation was granted on the strength of a certificate from a military hospital.

11. That the two doctors, namely Dr. Yoshimi and Dr. Tsuruta, were fully aware of these regulations will be evident from their statement made before the Committee and the two Commissions. Before the Committee, the former stated that "On the 18 August I had issued a medical certificate of death in respect of the deceased person writing his name in Japanese as Chandra Bose and giving the cause of death as 'burn of the third degree'. Before the earlier Commission, Dr. Yoshimi had averred that he prepared a death certificate and the name mentioned therein was Chandra Bose and gave the reason of death as 'general burning all over the body, degree three'. Dr. Yoshimi was examined by this Commission and he has stated that he mentioned the name of the deceased as Chandra Bose and the cause of death was mentioned as third degree burns. He also mentioned that he applied to the Taiwan authority on 18-8-1945 for the cremation permit and attached the death certificate with the application form.

12. If the aforesaid evidence of the two doctors is to be believed then the body of Netaji would have to be taken to the Bureau and on the basis of the



application made by Dr. Yoshimi, the permit would have been issued and on his cremation there would have been entries in the cremation register with a specific serial No. allotted and the name of Dr. Yoshimi would appear in the column meant for writing the name of the applicant seeking permission for cremation of the body. But in the register of cremation at the Municipal Health Centre, there was an entry in the name of Ichiro Okura who was cremated on 22-8-1945 and no other records exist.

13. From the above, the Commission found that the records – death certificate of Netaji filed before the Bureau, the application seeking permission to cremate the dead body, the permit granted for his cremation and entry in the cremation register in proof of cremation – were absent and this made the story of Netaji's Death in the air crash vulnerable and raises reasonable and bona fide doubt about the story.

14. The above observation of the Commission also receives unflinching support from the following –

The Chairman requested the Government of Taiwan to send certain records including all entries in the cremation register of the old crematorium of Taipei city during the period from 18 August to 24 August 1945. Ministry of Foreign Affairs of Taiwan sent the records including the entries in the register. Thereafter the Commission requisitioned the services of Anglo-Japanese translator through the Japanese Consulate in Kolkata. According to the translation given, there is no entry in the name of Netaji Subhash Chandra Bose/Chandra Bose, pilot Takizawa, Co-pilot Aoyagi and General Shidei (who, according to witnesses, were with Netaji as co-passengers) in the documents of cremation during the period from 17 August to 27 August 1945. Absence of any entry relating to their cremation defeats the story of death of Netaji and some of his co-passengers in the plane crash.

15. Quite a number of deponents and/or their counsel had submitted before the Commission that there was evidence that Netaji did not die in the plane crash and that he was alive beyond August 18 1945. Some of them had even asserted that Netaji had been able to go to Russia pursuant to an excogitated plan. The Commission received several statements supported by affidavits and supplementary affidavits that there were relevant documents in several archives of Russian Federation relating to Netaji. So the Commission decided to visit Russian Federation to hold inquiry including examination of documents relating to Netaji. Accordingly the Commission got in touch with the MEA with request to make necessary arrangements so as to enable it to visit the archives and also to obtain the consent of the



persons listed by one Dr. (Mrs.) Purabi Roy, who claimed that she had been visiting Russian Federation at regular intervals to do research work on Indo-Soviet relations for a long time. In response thereto, three archives sent documents translated into English and six others intimated that they had no documents concerning Netaji. So far as the persons to be examined were concerned, some of them were dead and some were not traceable. These data were furnished by MEA.

16. Ultimately the Commission decided to visit Russia in September 2005. and scrutinized various documents and some witnesses. But nothing was found which could be of relevance to the current terms of reference of the Commission.

17. To disprove the story of Netaji's death in the plane crash, some documents were filed before the Commission stating that the Commission should go to Saigon (Vietnam) as according to them evidence would be available there to form that contention. But on scrutiny the Commission had rejected the same.

18. Another ground canvassed before the Commission is based on certain passages in the "Transfer of Power 1942-7 (Vol.VI). Attention was drawn to a letter dated 23-8-1945 written by Sir F. Mudie (Home Member in the Viceroy's Executive Council) to Sir E. Jenkins (Private Secretary to the Viceroy) (Pages 137-140) giving alternative proposals for dealing with Netaji Subhas Chandra Bose. It was contended that if Netaji had died on 18 August 1945, such proposals would not have been given. Also, the news of Netaji's death was first broadcast on that day itself i.e. 23 August 1945.

19. Attention of the Commission was also drawn to the minute of a meeting of India and Burma Committee of British Cabinet presided over by Prime Minister Attlee on October 25 1945 (Pages 402-406). The relevant portion reads as follows –

**"Treatment of Indian Civilian Renegades.**

The committee turned to a consideration of the principals which should govern the trial and punishment of India civilian offenders. The following were the principal points raised in discussion:-

- 1) It was generally agreed that the only civilian renegade of importance was Subhas Chandra Bose.
- 2) .....
- 3) .....



It was contended that this minute would not have been recorded if Netaji had died in the plane crash.

20. A contention was also raised that the story of the plane crash was contrived pursuant to a well laid out plan to which the Japanese military authority was also a party to ensure Netaji's safe passage out of Japan and the reach of the Allied Powers. The Commission has stated that such plan to escape could not have been thought of without the active support and cooperation of the Japanese military authority. The Commission has also stated that Netaji's decision to go out of Japan and the reach of the Allied Forces in the wake of the surrender of the Japanese was pursuant to a plan formulated on the advice and with the active cooperation and support of the Japanese military authorities stands established by overwhelming evidence adduced before the Committee and the two Commissions and a detailed discussion on this issue will serve no purpose except increasing the volume of this report. Suffice it to say that on August 16, 1945 while in Bangkok Netaji had a meeting with General Isoda, the Head of Hikari Kikan and his main task was to liaise between the Japanese Govt. and a combined group of India Independence League, Indian National Army and the Provisional Govt. of Free India. General Isoda testified that these plans were secret and the purpose of Netaji's flight to Soviet Union was to continue his independence movement from there.

21. It has also been contended before the Commission that the story of Netaji's death in the plane crash and of his cremation was concocted to ensure the success of Netaji's escape plan by hoodwinking the Allied Forces.

22. Another significant fact that raises a serious doubt about the truth of Netaji's death in the plane crash is the unusual conduct of Habibur Rahman as evinced by his non-communication of the above news. If Netaji had really died in the manner as alleged, it was expected that he (Habibar Rahman) would, as the only surviving member of INA, immediately report about it, more so when it related to the death of his Supreme Commander to his superiors in the army and his colleagues in Bangkok, Singapore, Saigon and Tokyo. His such conspicuous silence cannot be explained in any way except that he was playing a very vital role along with the Japanese army authority in formulation and execution of Netaji's escape plan.

23. The next circumstance that makes the story of the plane accident suspect is the non-availability of any document of the air crash. Even though the Japanese were in control of Taipei till 25-10-1945 and an inquiry into the accident was held as early as September 13, 1945 by a team of British Intelligence headed by Mr. Finney, but it does not appear that any attempt was made by them to look for the airport records.



24. Another circumstance that goes against the story of Netaji's death in the plane crash on August 18, 1945 at Taihoku and lends support to the escape plan is the message that was sent by the Chief of Staff, Southern Army to O.C., Kikari Kikan on August 20, 1945 to say that 'T' (code name of Netaji) had died as a result of an accident and his body had been flown to Tokyo by the Formosan Army.

25. The other impediment before the Commission to accept the story of the plane crash was the evidence of Shri S.A. Ayer, ex-Publicity and Propaganda Minister of Azad Hind Government, as corroborated by the relevant passages of his Book titled "Unto him a witness". At page 86 of the book he has stated that he was informed of the death of Netaji by Rear Admiral Chuda of Japanese Navy on 20-8-1945 and that his request to see the body of Netaji with his own eyes was not acceded to. It is clear from the evidence of Shri Ayer that he refused to believe that story unless he saw the dead body with his own eyes.

26. The Commission has also given another circumstance which is pertinent to the issue of the plane crash. During the Commission's visit to Taiwan, the Chairman requested the concerned officers of the Taiwan City Government to show the records on the basis of which they had stated that there was no plane crash on August 18, 1945. They told him that the information was based solely on contemporaneous newspaper accounts kept in their archives. The visit of the Chairman to the Institute of Taiwanese History and perusal of the microfilmed daily newspapers confirmed that there was no report of any plane crash on August 18, 1945. Had there been any plane crash relating to the death of Netaji, the facts would have certainly been published in the local daily 'Central Daily News'. Even the news of lesser importance relating to Netaji was published in the said newspapers dated September 14, 1945 as given below -

Central Daily News, 14 September 1945

The India Government decided today to release the younger brother (s) and family of Bose who were detained since the beginning of the Japanese war. The members belonging to the Bose family (clan) who opposed the Government will also be set free. The official announcement states, "In view of the Japanese surrender, there is no need for detaining these people for a long time".

27. From the above, the Commission has concluded that on a conspectus of all the facts and circumstances relevant to the above issues it stands established that emplaning at Saigon on August 17, 1945, Netaji succeeded in evading the Allied Forces and escaping out of their reach and as a camouflage thereof the entire make-belief story of the air crash, Netaji's



death therein and his cremation was engineered by the Japanese army authorities including the two doctors and Habibur Rahman and then aired on August 23, 1945 through a statement prepared by Shri S.A. Ayer at the dictation of the aforesaid authorities to give imprimatur of the INA to the death news of Netaji. Obviously, in cooking up the story of Netaji's death in the plane crash and giving it a modicum of truth they (the Japanese military authorities and Habibur Raman) had no other alternative than resorting to suppression of facts and in so doing they not only invited material contradictions in their evidence as pointed out by the deponents and their learned Counsel, but also left latent loopholes which have now been discovered. Though no firm opinion can be expressed about Netaji's exit point, it can legitimately be inferred, having regard to the established fact that Habibur Rahman who accompanied him from Saigon was next found present in Taipei cooking up a story (along with others) of his death there, that Netaji disappeared therefrom (Taipei). But the question whether Netaji thereafter landed in Russia or elsewhere cannot be answered for dearth of evidence.

28. As regards the journey of the ashes collected by Habibur Rahman from the crematorium at Taipei to the Renkoji Temple in Japan, the evidence is consistent and, therefore, needs no discussion. Since the ashes collected were of Ichiro Okura – not of Netaji – the only inference that can be drawn is that the ashes lying in that temple cannot be of Netaji.

(iii) Death in Dehradun:

This version stems from the setting up of an Ashram by a Sadhu known as Sharadanandji in about 1959 named and styled as 'Shoulmari Ashram' at a place called Falakata in the district of Cooch Behar which borders Bangladesh, Bhutan and Nepal. He stayed there for about 6/7 years and ultimately settled down in Dehradun in 1973 and died there in 1977.

2. Of the 11 witnesses examined on this score, eight have put forward the story that the Sadhu was none other than Netaji, while the other three have disputed the claim. Before the Khosla Commission also some witnesses made a similar statement. Distinguishing the Sadhu's appearance, accent and his manner of speaking from those of Netaji, Niharandu Dutta Majumdar, who deposed before the Khosla Commission as witness No. KW 174, stated that the Sadhu did not resemble Netaji and he spoke the dialect of the Sylhet border in East Bengal, whereas Netaji was a man of Cuttack (Orissa) with his ancestral house in South 24-Parganas in West Bengal.

3. The Commission has concluded that when the real identity of a person is the issue, his evidence is undoubtedly of great importance unless, of course, it is proved that he was suppressing his identity with an oblique motive or



purpose and as in the instant case there is no reliable evidence to prove that the Sadhu was Netaji, the question of his (Netaji's) death in Dehradun in 1977 does not arise.

(iv) Death in Sheopurkalan:

One Shri Jagannath Prosad Gupta, a resident of village Nagda in the district of Sheopurkalan (Madhya Pradesh) filed a statement supported by an affidavit asserting that during the days of struggle for freedom of India, a plane crash-landed in the neighbouring village of Pandola and the three persons who survived were a 'Sadhu', Col. Habibur Rahman and Hitler. Later on, the 'Sadhu' came to their village and started living on the bank of the river nearby. According to Shri Gupta, the Sadhu is none other than Netaji and that he died on May 21, 1977. He also stated that after the death of the Sadhu, the MP Govt. had seized all records pertaining to the Sadhu and those documents contained the proof of his identity as Netaji. Three other persons also supported Shri Gupta's statement by affidavits. Commission examined all the four persons at Sheopurkalan, and found that their claim that the Sadhu was Netaji was wholly unfounded. The documents seized by the MP Police also did not support Sri Gupta's contention. The story of plane crash in 1946 was also found to be absurd on the face of it. So, the Commission rejected this claim.

(v) Death in Faizabad:

The common case that has been made out before the Commission by three persons (supported by affidavits) is that after the death of Stalin in March, 1953, Netaji escaped from the then Soviet Russia and after coming to India lived at different places in UP and lastly at 'Rambhawan' in Faizabad. They also stated that in September 1985, he left Rambhawan for an unknown destination leaving behind a large number of household articles including his family photos, books, letters and other documents in that house and that custody of the same was taken by the DM, Faizabad and kept in the treasury there.

2. On thorough scrutiny of more than 2600 items lying there, the Commission felt that about 700 of them might be relevant for its purpose and took them to Kolkata. In asserting their claim that Netaji lived at various places in the State of UP as an ascetic holy man under two different names viz. Gumnamī Baba and Bhagwanji, 31 persons deposed before the Commission. Some of them were left out as their evidence was based either on hearsay or based on belief without any substantial material in forming the same. Some were also excluded by the Commission as their claim is based on the result of their investigation into the mystery surrounding Gumnamī Baba as also several articles they wrote in newspapers, magazines etc. Evidence of



some were not entertained as they admitted that they had not seen Gumnami Baba.

3. The Commission has pointed out that the reports of the experts, to whom the handwritings appearing in some books and journals found in Rambhawan were sent for comparison with the admitted handwritings of Netaji, materially differ. The Commission also sent five teeth out of nine, found in Rambhawan along with samples of blood collected from two descendants on the father's side and three descendants on the mother's side of Netaji to the Central Forensic Science Laboratory, Kolkata, for DNA profiling test to fix the identity of the person to whom the teeth belonged. After subjecting three of the five teeth to the above test, Dr. V.K. Kashyap, DNA expert and Director of the Laboratory, submitted a detailed report with the following opinion –

“From the morphological examination and analysis of SRY gene, mt DNA (HVS I & HVS II), and Y-STR loci in the forwarded Exhibits 1-10, it can be concluded that forwarded teeth (Exhibits 2 to 4) belong to a single human aged male individual (alleged Gumnami Baba). The individual – source of the teeth does not belong to either maternal or paternal DNA lineage of Netaji Subhas Chandra Bose, therefore, cannot be of Netaji Subhas Chandra Bose.”

The Commission has, therefore, stated in conclusion in this chapter that in absence of any clinching evidence to prove that Bhagwanji/Gumnami Baba was Netaji, the question whether he (Netaji) died in Faizabad on September 16, 1985, as testified by some of the witnesses, need not be answered.

**CHAPTER FIVE – CONCLUSION**

The Commission has given the conclusion in this chapter on the basis of the discussions made in chapter four of the report. The response of the Commission to the terms of reference is set out below in a tabular form -

Terms of reference in the Notification	Conclusion of the Commission
(a) whether Netaji Subhas Chandra Bose is dead or alive;	(a) Netaji Subhas Chandra Bose is dead;



(b) if he is dead, whether he died in the plane crash, as alleged	(b) He did not die in the plane crash, as alleged;
(c) whether the ashes in the Japanese temple are ashes of Nataji;	(c) The ashes in the Japanese temple are not of Netaji;
(d) whether he has died in any other manner at any other place and, if so, when and how;	(d) In absence of any clinching evidence a positive answer cannot be given;
(e) if he is alive, in respect of his whereabouts.	(e) Answer already given in (a) above.

Regarding the ancillary query (vide paragraph 3 of the Notification, the Commission is of the view that consequent upon its above findings, the Central Government can proceed on the basis that he is dead but did not die in the plane crash, as alleged.



Sl. No.	Issue/fact/point/circumstance	Comments of Shah Nawaz Committee on this	Comments of Khosla Commission on this	Comments of Justice Mukherjee Commission of Inquiry on this
1.	Evidence of the plane crash and absence of contemporaneous documents	<p>"It will thus be seen that the evidence given by witnesses before us as to Netaji's death is corroborated by the findings of British and American Intelligence organizations who undertook independent enquiries very soon after the occurrence, and the conclusions of an unofficial enquiry conducted a year later by an Indian journalist. As for the witnesses who have deposed before us, neither from their antecedents, nor from the manner in which they made their statements, has the Committee any reason to disbelieve their stories..... Most of the Japanese witnesses are not now connected with the Government of Japan, and are in no way obliged to give evidence according to any particular brief. .... They all point to the fact that Netaji Subhas Chandra Bose died at Taihoku Military Hospital on the night of the 18<sup>th</sup> August</p>	<p>"After giving the most anxious consideration to all the available evidence, the criticism to which the statements of the various witnesses were subjected and the arguments advanced by counsel, I have reached the conclusion that the story of the air crash at the Taihoku airfield in Taiwan and the subsequent death of Bose, resulting from burn injuries sustained by him in the crash must be believed. This story is substantiated by the testimony of wholly independent witnesses, four of whom were Bose's co-passengers in the plane which crashed, one is the doctor who attended to him and signed the death certificate..... The doctor, too, appeared to be a most convincing witness of truth." (Page 49 -para 4.128)</p>	<p>"So far, the evidence regarding Netaji's death in the plane crash and his cremation has been discussed keeping in view the submissions made by some of the deponents and their learned Counsel (except those relating to the contradictions in the evidence of the witnesses as pointed out by them to which reference will be made later on) and the appraisal thereof has yielded the following findings -</p> <p>a) There is no satisfactory evidence of the plane crash; on the contrary, the story given out in that respect is rather improbable;</p> <p>b) In absence of any contemporaneous record in the hospital, the Bureau and/or the crematorium, the oral account of the witnesses of Netaji's death and cremation cannot be relied upon to arrive at a definitive finding on the basis thereof; and</p> <p>c) A secret plan was contrived</p>



		1945. We accept this conclusion." (Page 34-35 - para 10).		to ensure Netaji's safe passage to which Japanese military authority and Habibur Rahman were parties" (Page 95 - Para 4.12.14)
2.	British and American Intelligence organizations based their report solely on oral evidence.	<p>"Soon after the end of hostilities, the Government of India sent two parties of Intelligence officers (police) headed by Messrs. Finney and Davies to the Far East to enquire about the whereabouts of Netaji Subhas Chandra Bose, and if possible, to arrest him. Two Indian police officers who were in those parties, Mr. H.K. Roy and Mr. K.P. De, appeared before us and gave evidence. .... The conclusion of the police officers was that Netaji had died as a result of air crash, and they reported to the Government of India accordingly. .... A parallel enquiry was conducted about the same time at the instance of the Director of Military Intelligence, India, or Admiral Lord Mountbatten's Headquarters at Kandy, through Col. F.G. Figgess, at that time attached to General</p>	<p>"The papers in the plane must have perished in the fire, because the front portion of the plane where they would normally be kept was completely destroyed. .... It is only conjecture that such papers must have been prepared ergo, their non-production disproves the crash story. It is against reason, common sense and the rules of evidence to base a conclusion on such an unjustifiable and unsubstantiated assumption. (Page 39 -para 4.86)</p>	<p>"..... after August 23, 1945, when the news of Netaji's death was broadcast, and prior to the appointment of the Shah Nawaz Committee by the Government of India on April 5, 1956 quite a number of inquiries were held at the behest of the British and American Intelligence authorities to ascertain the truth. Reports of these inquiries indicate that they based their findings relying solely upon the oral testimony of some witnesses without caring to search for the relevant records of Taihoku Airport, the Army Hospital, Taipei Municipal Bureau of Health and Hygiene ('Bureau for short) and Taipei City Crematorium to test the veracity of their assertion and, in case no such record was found, to incorporate that fact in their respective reports."</p>





		MacArthur's Headquarters at Tokyo, about Netaji Sbyhas Chandra Bose. .... The conclusion reached from these reports was that Netaji had died of burns at Taipeh as a result of the air crash." (Page 32-34 – para 8).		(Page 59-60 – Para 4.6.11)
3.	Absence of cremation certificate makes the plane crash story doubtful	".... About the cremation, the evidence has come from two Japanese, one Indian (Pakistani), and one Formosan witness. Their stories closely corroborate each other. There is no reason why these witnesses of different origin should tell the same story, unless they themselves took part in the events they described. There has been no suggestion of disposal of Netaji's body in any other way but by cremation at the Taihoku Crematorium. (Page 42 – para 5)	"I, therefore, find it proved beyond all reasonable doubt that Bose traveled in a Japanese bomber from Touraine to Taihoku on the morning of 18 <sup>th</sup> August, 1945..... The plane crashed to the ground, broke into two parts and caught fire. In this fire the pilot and Genl. Shidei died instantaneously and of the other men on board, the co-pilot Ayoagi died later and Bose also succumbed to his burn injuries during the course of the following night. His body was cremated and ashes were taken to Tokyo." (Page 49 – para 4.129)	"..... the absence of death certificate of Netaji filed before the Bureau, the application seeking permission to cremate his dead body, the permit granted for his cremation and an entry in the cremation register in proof of the cremation makes the evidence of the witnesses, who testified to Netaji's death and cremation, vulnerable and raises a strong reasonable and bona fide doubt about the story of his death by air crash." (Page 72 – para 4.6 end)
4.	Height from which the	"Witnesses inside the plane	"Describing the crash the	"From his evidence (Habibur





	plane nose-dived.	have given different estimates of the height, but most of them say that the maximum height gained was about 30 meters. .... Mr. A. M.N. Sastri, an Aircraft Inspector of the Directorate General of Civil Aviation. Government of India, has said, in answer to a question, that considering that the aircraft left the ground 50 meters before the end of the runway and started climbing, the figure of 30 to 40 meters given by witness Captain Nakamura alias Yamamoto appeared to him to be reasonable." (Page 19 – para 11)	witnesses stated: The plane started, using almost the full length of the runway and took off, and at 30-40 meters above the ground, the plane leaned towards the ground....." (Page 23 – para 4.30) "The story of the crash is narrated by him (Taro Kono) in the following terms: After we took off and the altitude was about 20-30 meters from the ground, the left propeller was blown off and the left engine was torn off ....." (Page 24 – para 4.33)	Rahman) it is seen that not only he testified to the above fact but went on further to say that the plane nosedived from a fairly high altitude "possibly over 12-14000 feet". If this evidence of Habihar Rahman is to be believed then none of the 12/13 passengers – not to speak of the crew members – could have survived." (Page 89 – para 4.12.6)
5.	Non-availability of any document of the air crash makes the story of the accident suspect	"In fact, as will be seen, different witnesses have given different stories, which would disprove any suggestion of "promoting". So, notwithstanding discrepancies and variations, which are only too likely after the lapse of so many years, the statements of witnesses must be taken as worthy of credit. These statements are corroborated by enquiries through military and	"The papers in the plane must have perished in the fire, because the front portion of the plane where they would normally be kept was completely destroyed. .... It is only conjecture that such papers must have been prepared ergo, their non-production disproves the crash story. It is against reason, common sense and the rules of	"The next circumstance that makes the story of the accident suspect is the non-availability of any document of the air crash. Even though the Japanese were in control of Taipei till October 25, 1945 (when the Chinese took over) and an inquiry into the accident was held as early as September 13, 1945 by a team of British Intelligence headed by Mr. Finney it does not



		non-official channels soon after the events. They all point to the fact that Netaji Subhas Chandra Bose died at Taihoku Military Hospital on the night of the 18 <sup>th</sup> August 1945. We accept this conclusion." (Page 35 – para 10.	evidence to base a conclusion on such an unjustifiable and unsubstantiated assumption. (Page 39 – para 4.86)	appear that any attempt was made by them to look for the Airport records." (Page 91 – Para 4.12.8)
6.	Shri S.A. Ayer's views in his book "UNTO HIM A WITNESS"	"The news (about Netaji's death in the plane crash) was broken to Mr. S.A. Ayer by Lt. Col. Tada, who was flying with him to Tokyo, on the afternoon of the 20 <sup>th</sup> at Canton." (Page 31 – para 6)	<p>"It is clear, however, that the witness ultimately accepted the crash story, because at Tokyo, he received Netaji's ashes at the Imperial Japanese Headquarters and helped to carry them to the Renkoji Temple. He treated the ashes with the reverence due to his leader...." (page 36 – para 4.71)</p> <p>"Iyer prepared a report in which he discussed the story of the fatal air crash in considerable detail. The view expressed by him was that Netaji had, in fact, succumbed to injuries sustained by him in an aircrash on the Taihoku airfield. He went on to say "in conclusion I would repeat that I have not the</p>	<p>"The other impediment to the acceptance of the story of the plane crash is furnished by the evidence of Shri S.A. Ayer, ex-Publicity and Propaganda Minister of Azad Hind Government as corroborated by the relevant passages of his book titled "UNTO HIM A WITNESS' (Ex 308). ..... From Shri Ayer's evidence referred to above it is manifest that on receiving the news of Netaji's death he refused to believe that he had died in the plane crash ..... " (Page 93 – Para 4.12.11)</p>



			<p>faintest doubt in my mind that the ashes that are enshrined in the Renkoji temple in Tokyo are of Netaji's..." (Page 36 – para 4.72)</p> <p>"The witness has written a book "UNTO HIM A WITNESS", and in this book also the witness reiterated his belief that Bose's plane had crashed and he had died at Taihoku....." (Page 36 – para 4.73)</p>	
7.	Escape theory	<p>"..... The Japanese Government helped him to escape, and they have, therefore, put out an elaborate deception story which is supported by Japanese witnesses. As for Col. Habibur Rehman, he is bound by an oath of secrecy and his injuries are faked. These are large presumptions. As has been stated before, there is a great deal of evidence that the plane had crashed and Netaji had died. There is no reason to disbelieve the numerous witnesses belonging to Japanese</p>	<p>"I am not prepared to accept the contention that the entire military organization of Japan had entered into a conspiracy to put forward a false story in order to cover up Bose's escape. Such a hypothesis is foreign to reason and to human nature. Most of the witnesses who gave evidence impressed me by their frank and honest demeanour ..... it is only necessary to say that this criticism does not shake the strength and the value of the evidence."</p>	<p>"On a conspectus of all the facts and circumstances relevant to the above issues it stands established that emplaning at Saigon on August 17, 1945 Netaji succeeded in evading the Allied Forces and escaping out of their reach and as a camouflage thereof the entire make-belief story of the air crash, Netaji's death therein and his cremation was engineered by the Japanese army authorities ...." (Page 106 – para 4.12.18)</p>



		and other nations. From medical evidence it appears clear that the injuries of Col. Rehman were genuine. If he was under any oath of secrecy, surely the others, particularly the Japanese witnesses, were not. Yet they have corroborated each other. So the line of reasoning of this school cannot be accepted.” (Page 35-36 – para 11)	(Page 49 – para 4.128)	
8.	Ashes of Netaji	<p>“From what has been said, it will be seen that the ashes were moved in stages from the crematorium to Nishi Honganji temple, from there to Minami Aerodrome, and thence to Tokyo Imperial General Headquarters. The progress thereafter was from the Imperial General Headquarters, first to Mr. Ramamurti’s house, and then to Mrs. Sahay’s house, and finally to the Renkoji temple. There is no break in the chain.” (Page 50 – para 7)</p> <p>“..... After having examined the statement of these witnesses, it is clear that the reasons for doubting that the</p>	<p>“I, therefore, find it proved beyond all reasonable doubt that Bose traveled in a Japanese bomber from Touraine to Taihoku on the morning of 18<sup>th</sup> August, 1945..... The plane crashed to the ground, broke into two parts and caught fire. In this fire the pilot and Genl. Shidei died instantaneously and of the other men on board, the co-pilot Ayoagi died later and Bose also succumbed to his burn injuries during the course of the following night. His body was cremated and ashes were taken to Tokyo.” (Page 49 –</p>	<p>“As regards the journey of the ashes collected by Habibur Rahman from the crematorium at Taipei to the Renkoji Temple in Japan the evidence is consistent and, therefore, needs no discussion. Since the ashes collected were of Ichiro Okura – not of Netaji – the only inference that can be drawn is that the ashes lying in that temple cannot be of Netaji”. (Page 107 – para 4.12.19)</p>



		ashes did not belong to Netaji, are either based on insubstantial grounds, or on wrong facts and therefore have to be discarded." (Page 53 - para - 10).	para 4.129)	
9.	Dr. Yoshimi who treated Netaji in the Taihoku military hospital	<p>"Dr. Yoshimi has stated that at about 7 or 7-30 P.M. he was informed by Dr. Tsuruta that Netaji's condition had deteriorated and his pulse was very weak. .... Shortly after 8 P.M. he breathed his last. He made out a medical certificate of death in respect of the deceased, writing his name in Japanese (Kata Kana) as "Chandra Bose" and giving the cause of death as "burns of third degree". (Page 30 - para 5).</p> <p>"..... Dr. Yoshimi says that tears were rolling down Col. Rehman's eyes. The nurses were crying loudly. Everybody present in the room was crying. In fact, describing this poignant scene before the Committee, Dr. Yoshimi himself broke down and sobbed audibly. " (Page 39 - para 1).</p>	<p>"..... Dr. Yoshimi was present when Bose died, later the same night, and he prepared a death certificate which he signed. ...." (Page 26 - Para 4.37)</p> <p>"..... But the important point is that there was no reason whatsoever for Dr. Yoshimi to make up wholly false story and depose to it on oath. Dr. Yoshimi struck me as an eminently respectable individual whose status in life and whose professional pride would prevent him from committing perjury in a case with which he was in no way personally or nationally concerned." (Page 35 - para 4.64)</p> <p>".... The Doctor, too, appeared to be a most convincing witness of truth."</p>	<p>"Discussion on this point will not, however be complete unless the part played by Dr. Yoshimi on this issue is commented upon. The absence of any record relating to Netaji's death and cremation (in respect of which he claimed to have played a pivotal role) clearly demonstrates that he was not telling the truth. .... Dr. Yoshimi's failure to give any reason, much less a satisfactory one, for belated preparation of the copy, his statement before the Committee that he did not know what had happened to the hospital records after his departure therefrom on January 21, 1946 and the report of the inquiry officer of the Formosan Government to the effect that the hospital</p>



			(Page 49 – Para 4.128)	records were not available (as noticed earlier) clearly indicate that the above document cannot but be a manufacture one.” (Page 74-75 – para 4.8)
10.	Inquiry conducted by Harin Shah	<p>“In August 1946, i.e. the year after the events, Mr. Harin Shah, an Indian journalist, visited Formosa at the invitation of the Chiang Kai-shek Government. There he took up enquiry on his own about Netaji. Mr. Shah came across a number of Formosans who had something to say as to what happened to Netaji at Taihoku. He met some medical students, who had heard that Netaji had been severely injured as a result of the air crash, and that a Japanese medical student donated blood for transfusion. He also examined at length a Formosan nurse, Sister Tsan Pi Sha, who said that she was in attendance on Netaji at the Nanmon Military Hospital. She gave correct description of Netaji and Col. Habibur Rehman. In the end she said that Netaji had</p>	<p>“In this connection I may refer to Harin Shah, a newspaper reporter, who paid a visit to Taipei at the end of August 1946. He made an investigation into the story of the air crash and Bose’s death. He claimed to have obtained the two above mentioned documents from the municipal records at Taipei .... Harin Shah, in 1956, published a book named “Verdict from Formosa GALLANT END OF NETAJI Subhas Chandra Bose”. The theme of this book is that the story of the crash of Bose’s death had been proved beyond all doubt. Harin Shah expressed the view that though the particulars given in the two documents do not, in terms, specify Bose,</p>	<p>“..... an inquiry towards that end was undertaken for the first time by Shri Harin Shah, the Editor of “Indian Worker” ..... Towards the end of August, 1946 he paid a visit to Taipei and made an inquiry into the story of the air crash and of Netaji’s death... he called on the Director of the Bureau at his (the Director’s) office in Taipei and asked for records with regard to the death and cremation of Netaji... After search those two clerks produced .... the following documents –</p> <ul style="list-style-type: none"> <li>i) the doctor’s report on the death of Netaji;</li> <li>ii) the police officer’s report; and</li> <li>iii) the certificate issued by the Bureau permitting cremation. .... The doctor’s report reads as follows:</li> </ul> <p>From the Army Hospital</p>





	<p>died at the hospital at 11 at night ..... He was satisfied on the strength of his enquiries that Netaji had died at Taihoku as a result of the air accident.” (Page 34 – para 9).</p>	<p>the documents, in fact, relate to him and therefore prove his death and subsequent cremation. He attributed the discrepancy to a desire on the part of the Japanese to keep the matter of Bose’s death a complete secret.” (Page 41 – para 4.95)</p> <p>“The death certificate describes the deceased as Okara Ichiro, male, born on April 9, 1901. The cause of death is mentioned as heart-failure..... (Page 41 – para 4.96).</p> <p>“It is clear that neither the name nor the date of birth of the deceased mentioned in these two documents is truly descriptive of Bose...” (Page 42 – para 4.97)</p> <p>“The argument is in the nature of non-sequitur, for what does not relate to an event, cannot be used to disprove it. It is tantamount to raising a phantom and then destroying it. I do not, therefore, accept the</p>	<p>To the Bureau of Health and Hygiene  Date of the Report: 21<sup>st</sup> August, 1945.  Certificate of the Death:  Name of the: Okara Ichiro person  Sex : Male  Birth: Born in the Meiti 22<sup>nd</sup> Year April 9.  Reason of : By sickness  Death  Nature of sickness: Heart-Failure  Time of death: 19<sup>th</sup> August 4 p.m.  .....  The name of: Chhuluta  Doctor and      Toyoji  The seal      Chentze  .....  In his book titled “Gallant end of Netaji (Ext. 295) Shri Shah reproduced copies of the doctor’s report ..... wrote in his book and also testified before the Committee that even though the particulars given in those documents related to Ichura Okara or Okara Ichiro, those documents</p>
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			contention that these documents relate to Bose and that they disprove the factum of his death." (Page 43 – para 4.99 end)	in fact related to Netaji's death and cremation." (Page 60-62 – paras 4.6.11 – 4.6.13)
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Sl. No.	Issue/fact/point/circumstance	Comments of Shah Nawaz Committee on this	Comments of Khosla Commission on this	Comments of Justice Mukherjee Commission of Inquiry on this
1.	Evidence of the plane crash and absence of contemporaneous documents	<p>"It will thus be seen that the evidence given by witnesses before us as to Netaji's death is corroborated by the findings of British and American Intelligence organizations who undertook independent enquiries very soon after the occurrence, and the conclusions of an unofficial enquiry conducted a year later by an Indian journalist. As for the witnesses who have deposed before us, neither from their antecedents, nor from the manner in which they made their statements, has the Committee any reason to disbelieve their stories..... Most of the Japanese witnesses are not now connected with the Government of Japan, and are in no way obliged to give evidence according to any particular brief. .... They all point to the fact that Netaji Subhas Chandra Bose died at</p>	<p>"After giving the most anxious consideration to all the available evidence, the criticism to which the statements of the various witnesses were subjected and the arguments advanced by counsel, I have reached the conclusion that the story of the aircrash at the Taihoku airfield in Taiwan and the subsequent death of Bose, resulting from burn injuries sustained by him in the crash must be believed. This story is substantiated by the testimony of wholly independent witnesses, four of whom were Bose's co-passengers in the plane which crashed, one is the doctor who attended to him and signed the death certificate..... The doctor, too, appeared to be a most convincing witness of</p>	<p>"So far, the evidence regarding Netaji's death in the plane crash and his cremation has been discussed keeping in view the submissions made by some of the deponents and their learned Counsel (except those relating to the contradictions in the evidence of the witnesses as pointed out by them to which reference will be made later on) and the appraisal thereof has yielded the following findings –</p> <p>a) There is no satisfactory evidence of the plane crash; on the contrary, the story given out in that respect is rather improbable;</p> <p>b) In absence of any contemporaneous record in the hospital, the Bureau and/or the crematorium, the oral account of the witnesses of Netaji's death and cremation cannot be relied upon to arrive at a definitive finding on the</p>



		Taihoku Military Hospital on the night of the 18 <sup>th</sup> August 1945. We accept this conclusion." (Page 34-35 - para 10).	truth." (Page 49 - para 4.128)	basis thereof; and c) A secret plan was contrived to ensure Netaji's safe passage to which Japanese military authority and Habibur Rahman were parties" (Page 95 - Para 4.12.14)
2.	British and American Intelligence organizations based their report solely on oral evidence.	"Soon after the end of hostilities, the Government of India sent two parties of Intelligence officers (police) headed by Messrs. Finney and Davies to the Far East to enquire about the whereabouts of Netaji Subhas Chandra Bose, and if possible, to arrest him. Two Indian police officers who were in those parties, Mr. H.K. Roy and Mr. K.P. De, appeared before us and gave evidence. .... The conclusion of the police officers was that Netaji had died as a result of air crash, and they reported to the Government of India accordingly. .... A parallel enquiry was conducted about the same time at the instance of the Director of Military Intelligence, India, or Admiral Lord Mountbatten's Headquarters at Kandy,	<i>what papers</i> "The papers in the plane must have perished in the fire, because the front portion of the plane where they would normally be kept was completely destroyed. .... It is only conjecture that such papers must have been prepared ergo, their non-production disproves the crash story. It is against reason, common sense and the rules of evidence to base a conclusion on such an unjustifiable and unsubstantiated assumption. (Page 39 - para 4.86)	"..... after August 23, 1945, when the news of Netaji's death was broadcast, and prior to the appointment of the Shah Nawaz Committee by the Government of India on April 5, 1956 quite a number of inquiries were held at the behest of the British and American Intelligence authorities to ascertain the truth. Reports of these inquiries indicate that they based their findings relying solely upon the oral testimony of some witnesses without caring to search for the relevant records of Taihoku Airport, the Army Hospital, Taipei Municipal Bureau of Health and Hygiene ('Bureau for short) and Taipei City Crematorium to test the veracity of their assertion and, in case no such record was



		through Col. F.G. Figgess, at that time attached to General MacArthur's Headquarters at Tokyo, about Netaji Sbyhas Chandra Bose. .... The conclusion reached from these reports was that Netaji had died of burns at Taipeh as a result of the air crash." (Page 32-34 – para 8).		found, to incorporate that fact in their respective reports." (Page 59-60 – Para 4.6.11)
3.	Absence of cremation certificate makes the plane crash story doubtful	".... About the cremation, the evidence has come from two Japanese, one Indian (Pakistani), and one Formosan witness. Their stories closely corroborate each other. There is no reason why these witnesses of different origin should tell the same story, unless they themselves took part in the events they described. There has been no suggestion of disposal of Netaji's body in any other way but by cremation at the Taihoku Crematorium. (Page 42 – para 5)	"I, therefore, find it proved beyond all reasonable doubt that Bose traveled in a Japanese bomber from Touraine to Taihoku on the morning of 18 <sup>th</sup> August, 1945..... The plane crashed to the ground, broke into two parts and caught fire. In this fire the pilot and Genl. Shidei died instantaneously and of the other men on board, the co-pilot Ayoagi died later and Bose also succumbed to his burn injuries during the course of the following night. His body was cremated and ashes were taken to Tokyo." (Page 49 – para 4.129)	"..... the absence of death certificate of Netaji filed before the Bureau, the application seeking permission to cremate his dead body, the permit granted for his cremation and an entry in the cremation register in proof of the cremation makes the evidence of the witnesses, who testified to Netaji's death and cremation, vulnerable and raises a strong reasonable and bona fide doubt about the story of his death by air crash." (Page 72 – para 4.6 end)
4.	Height from which the	"Witnesses inside the plane	"Describing the crash the	"From his evidence (Habibur



	plane nose-dived.	have given different estimates of the height, but most of them say that the maximum height gained was about 30 meters. .... Mr. A. M.N. Sastri, an Aircraft Inspector of the Directorate General of Civil Aviation, Government of India, has said, in answer to a question, that considering that the aircraft left the ground 50 meters before the end of the runway and started climbing, the figure of 30 to 40 metres given by witness Captain Nakamura aias Yamamoto appeared to him to be reasonable." (Page 19 – para 11)	witnesses stated: The plane started, using almost the full length of the runway and took off, and at 30-40 meters above the ground, the plane leaned towards the ground....." (Page 23 – para 4.30) "The story of the crash is narrated by him (Taro Kono) in the following terms: After we took off and the altitude was about 20-30 metres from the ground, the left propeller was blown off and the left engine was torn off ....." (Page 24 – para 4.33)	Rahman) it is seen that not only he testified to the above fact but went on further to say that the plane nosedived from a fairly high altitude "possibly over 12-14000 feet". If this evidence of Habihar Rahman is to be believed then none of the 12/13 passengers – not to speak of the crew members – could have survived." (Page 89 – para 4.12.6)
5.	Non-availability of any document of the air crash makes the story of the accident suspect	"In fact, as will be seen, different witnesses have given different stories, which would disprove any suggestion of "promoting". So, notwithstanding discrepancies and variations, which are only too likely after the lapse of so many years, the statements of witnesses must be taken as worthy of credit. These statements are corroborated by enquiries through military and	"The papers in the plane must have perished in the fire, because the front portion of the plane where they would normally be kept was completely destroyed. .... It is only conjecture that such papers must have been prepared ergo, their non-production disproves the crash story. It is against reason, common sense and the rules of	"The next circumstance that makes the story of the accident suspect is the non-availability of any document of the air crash. Even though the Japanese were in control of Taipei till October 25, 1945 (when the Chinese took over) and an inquiry into the accident was held as early as September 13, 1945 by a team of British Intelligence headed by Mr. Finney it does not



		non-official channels soon after the events. They all point to the fact that Netaji Subhas Chandra Bose died at Taihoku Military Hospital on the night of the 18 <sup>th</sup> August 1945. We accept this conclusion." (Page 35 – para 10.	evidence to base a conclusion on such an unjustifiable and unsubstantiated assumption. (Page 39 – para 4.86)	appear that any attempt was made by them to look for the Airport records." (Page 91 – Para 4.12.8)
6.	Shri S.A. Ayer's views in his book "UNTO HIM A WITNESS"	"The news (about Netaji's death in the plane crash) was broken to Mr. S.A. Ayer by Lt. Col. Tada, who was flying with him to Tokyo, on the afternoon of the 20 <sup>th</sup> at Canton." (Page 31 – para 6)	<p>"It is clear, however, that the witness ultimately accepted the crash story, because at Tokyo, he received Netaji's ashes at the Imperial Japanese Headquarters and helped to carry them to the Renkoji Temple. He treated the ashes with the reverence due to his leader...." (page 36 – para 4.71)</p> <p>"Iyer prepared a report in which he discussed the story of the fatal air crash in considerable detail. The view expressed by him was that Netaji had, in fact, succumbed to injuries sustained by him in an aircrash on the Taihoku airfield. He went on to say "in conclusion I would repeat that I have not the</p>	<p>"The other impediment to the acceptance of the story of the plane crash is furnished by the evidence of Shri S.A. Ayer, ex-Publicity and Propaganda Minister of Azad Hind Government as corroborated by the relevant passages of his book titled "UNTO HIM A WITNESS' (Ex 308). ..... From Shri Ayer's evidence referred to above it is manifest that on receiving the news of Netaji's death he refused to believe that he had died in the plane crash ..... " (Page 93 – Para 4.12.11)</p> <p><i>Could be checked</i></p>



			<p>faintest doubt in my mind that the ashes that are enshrined in the Renkoji temple in Tokyo are of Netaji's..." (Page 36 – para 4.72)</p> <p>"The witness has written a book "UNTO HIM A WITNESS", and in this book also the witness reiterated his belief that Bose's plane had crashed and he had died at Taihoku....." (Page 36 – para 4.73)</p>	
7.	Escape theory	<p>"..... The Japanese Government helped him to escape, and they have, therefore, put out an elaborate deception story which is supported by Japanese witnesses. As for Col. Habibur Rehman, he is bound by an oath of secrecy and his injuries are faked. These are large presumptions. As has been stated before, there is a great deal of evidence that the plane had crashed and Netaji had died. There is no reason to disbelieve the numerous witnesses belonging to Japanese</p>	<p>"I am not prepared to accept the contention that the entire military organization of Japan had entered into a conspiracy to put forward a false story in order to cover up Bose's escape. Such a hypothesis is foreign to reason and to human nature. Most of the witnesses who gave evidence impressed me by their frank and honest demeanour ..... it is only necessary to say that this criticism does not shake the strength and the value of the evidence."</p>	<p>"On a conspectus of all the facts and circumstances relevant to the above issues it stands established that emplaning at Saigon on August 17, 1945 Netaji succeeded in evading the Allied Forces and escaping out of their reach and as a camouflage thereof the entire make-belief story of the air crash, Netaji's death therein and his cremation was engineered by the Japanese army authorities ...." (Page 106 – para 4.12.18)</p>



		and other nations. From medical evidence it appears clear that the injuries of Col. Rehman were genuine. If he was under any oath of secrecy, surely the others, particularly the Japanese witnesses, were not. Yet they have corroborated each other. So the line of reasoning of this school cannot be accepted.” (Page 35-36 – para 11)	(Page 49 – para 4.128)	
8.	Ashes of Netaji	<p>“From what has been said, it will be seen that the ashes were moved in stages from the crematorium to Nishi Honganji temple, from there to Minami Aerodrome, and thence to Tokyo Imperial General Headquarters. The progress thereafter was from the Imperial General Headquarters, first to Mr. Ramamurti’s house, and then to Mrs. Sahay’s house, and finally to the Renkoji temple. There is no break in the chain.” (Page 50 – para 7)</p> <p>“..... After having examined the statement of these witnesses, it is clear that the reasons for doubting that the</p>	<p>“I, therefore, find it proved beyond all reasonable doubt that Bose traveled in a Japanese bomber from Touraine to Taihoku on the morning of 18<sup>th</sup> August, 1945..... The plane crashed to the ground, broke into two parts and caught fire. In this fire the pilot and Genl. Shidei died instantaneously and of the other men on board, the co-pilot Ayoagi died later and Bose also succumbed to his burn injuries during the course of the following night. His body was cremated and ashes were taken to Tokyo.” (Page 49 –</p>	<p>“As regards the journey of the ashes collected by Habibur Rahman from the crematorium at Taipei to the Renkoji Temple in Japan the evidence is consistent and, therefore, needs no discussion. Since the ashes collected were of Ichiro Okura – not of Netaji – the only inference that can be drawn is that the ashes lying in that temple cannot be of Netaji”. (Page 107 – para 4.12.19)</p>



		ashes did not belong to Netaji, are either based on insubstantial grounds, or on wrong facts and therefore have to be discarded." (Page 53 - para - 10).	para 4.129)	
9.	Dr. Yoshimi who treated Netaji in the Taihoku military hospital	<p>"Dr. Yoshimi has stated that at about 7 or 7-30 P.M. he was informed by Dr. Tsuruta that Netaji's condition had deteriorated and his pulse was very weak. .... Shortly after 8P.M. he breathed his last. He made out a medical certificate of death in respect of the deceased, writing him name in Japanese (Kata Kana) as "Chandra Bose" and giving the cause of death as "burns of third degree". (Page 30 - para 5).</p> <p>"..... Dr. Yoshimi says that tears were rolling down Col. Rehman's eyes. The nurses were crying loudly. Everybody present in the room was crying. In fact, describing this poignant scene before the Committee, Dr. Yoshimi himself broke down and sobbed audibly. " (Page 39 - para 1).</p>	<p>"..... Dr. Yoshimi was present when Bose died, later the same night, and he prepared a death certificate which he signed. ...." (Page 26 - Para 4.37)</p> <p>"..... But the important point is that there was no reason whatsoever for Dr. Yoshimi to make up wholly false story and depose to it on oath. Dr. Yoshimi struck me as an eminently respectable individual whose status in life and whose professional pride would prevent him from committing perjury in a case with which he was in no way personally or nationally concerned." (Page 35 - para 4.64)</p> <p>".... The Doctor, too, appeared to be a most convincing witness of truth."</p>	<p>"Discussion on this point will not, however be complete unless the part played by Dr. Yoshimi on this issue is commented upon. The absence of any record relating to Netaji's death and cremation (in respect of which he claimed to have played a pivotal role) clearly demonstrates that he was not telling the truth. .... Dr. Yoshimi's failure to give any reason, much less a satisfactory one, for belated preparation of the copy, his statement before the Committee that he did not know what had happened to the hospital records after his departure therefrom on January 21, 1946 and the report of the inquiry officer of the Formosan Government to the effect that the hospital</p>



			(Page 49 – Para 4.128)	records were not available (as noticed earlier) clearly indicate that the above document cannot but be a manufacture one.” (Page 74-75 – para 4.8)
10.	Inquiry conducted by Harin Shah	<p>“In August 1946, i.e. the year after the events, Mr. Harin Shah, an Indian journalist, visited Formosa at the invitation of the Chiang Kai-shek Government. There he took up enquiry on his own about Netaji. Mr. Shah came across a number of Formosans who had something to say as to what happened to Netaji at Taihoku. He met some medical students, who had heard that Netaji had been severely injured as a result of the air crash, and that a Japanese medical student donated blood for transfusion. He also examined at length a Formosan nurse, Sister Tsan Pi Sha, who said that she was in attendance on Netaji at the Nanmon Military Hospital. She gave correct description of Netaji and Col. Habibur Rehman. In the end she said that Netaji had</p>	<p>“In this connection I may refer to Harin Shah, a newspaper reporter, who paid a visit to Taipei at the end of August 1946. He made an investigation into the story of the air crash and Bose’s death. He claimed to have obtained the two above mentioned documents from the municipal records at Taipei .... Harin Shah, in 1956, published a book named “Verdict from Formosa GALLANT END OF NETAJI Subhas Chandra Bose”. The theme of this book is that the story of the crash of Bose’s death had been proved beyond all doubt. Harin Shah expressed the view that though the particulars given in the two documents do not, in terms, specify Bose, the</p>	<p>“..... an inquiry towards that end was undertaken for the first time by Shri Harin Shah, the Editor of “Indian Worker” ..... Towards the end of August, 1946 he paid a visit to Taipei and made an inquiry into the story of the air crash ad of Netaji’s death... he called on the Director of the Bureau at his (the Director’s) office in Taipei and asked for records with regard to the death ad cremation of Netaji... After search those two clerks produced .... the following documents –</p> <ul style="list-style-type: none"> <li>i) the doctor’s report on the death of Netaji;</li> <li>ii) the police officer’s report; and</li> <li>iii) the certificate issued by the Bureau permitting cremation. .... The doctor’s report reads as follows:</li> </ul> <p>From the Army Hospital</p>



	<p>died at the hospital at 11 at night ..... He was satisfied on the strength of his enquiries that Netaji had died at Taihoku as a result of the air accident.” (Page 34 – para 9).</p>	<p>documents, in fact, relate to him and therefore prove his death and subsequent cremation. He attributed the discrepancy to a desire on the part of the Japanese to keep the matter of Bose’s death a complete secret.” (Page 41 – para 4.95)          “The death certificate describes the deceased as Okara Ichiro, male, born on April 9, 1901. The cause of death is mentioned as heart-failure..... (Page 41 – para 4.96).          “It is clear that neither the name nor the date of birth of the deceased mentioned in these two documents is truly descriptive of Bose...” (Page 42 – para 4.97)          “The argument is in the nature of non-sequitur, for what does not relate to an event, cannot be used to disprove it. It is tantamount to raising a phantom and then destroying it. I do not, therefore, accept the contention that these</p>	<p>To the Bureau of Health and Hygiene          Date of the Report: 21<sup>st</sup> August, 1945.          Certificate of the Death:          Name of the: Okara Ichiro person          Sex : Male          Birth: Born in the Meiti 22<sup>nd</sup> Year April 9.          Reason of : By sickness          Death          Nature of sickness: Heart-Failure          Time of death: 19<sup>th</sup> August 4 p.m.          .....          The name of: Chhuluta          Doctor and Toyoji          The seal Chentze          .....          In his book titled “Gallant end of Netaji (Ext. 295) Shri Shah reproduced copies of the doctor’s report ..... wrote in his book and also testified before the Committee that even though the particulars given in those documents related to Ichura Okara or Okara Ichiro, those documents</p>
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			documents relate to Bose and that they disprove the factum of his death." (Page 43 – para 4.99 end)	in fact related to Netaji's death and cremation." (Page 60-62 – paras 4.6.11 – 4.6.13)
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No.12014/8/2005-NCB.II  
Government of India/Bharat Sarkar  
Ministry of Home Affairs/Grih Mantralaya

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Dated: May 4, 2006.

NOTE FOR CABINET

**Sub: Report of Justice Mukherjee Commission of Inquiry on the alleged disappearance of Netaji Subhas Chandra Bose – Action Taken Report.**

**Background**

The controversy over the death of Netaji Subhas Chandra Bose surfaced after the announcement from Tokyo on August 23, 1945 that Netaji had died in a plane crash on August 18, 1945. After independence, there was a popular demand for an inquiry into the alleged death/disappearance of Netaji. The Government of India appointed a three-member Committee headed by Shri Shah Nawaz Khan in 1956 "To enquire into and report to the Government of India on the circumstances concerning the departure of Netaji Subhas Chandra Bose from Bangkok about the 16<sup>th</sup> August 1945, his alleged death as a result of an aircraft accident, and subsequent developments connected therewith".

While Shri Shah Nawaz Khan and Shri S.N. Maitra of the Committee came to the conclusion that Netaji had died in the plane crash on August 18, 1945, Shri Suresh Chandra Bose, the other member of the Committee, differed and did not sign the report. The majority report was accepted by the Government of India.

2. However, because of continual demand for a fresh inquiry into the matter, the Government of India, in exercise of the powers conferred under the Commissions of Inquiry Act, 1952, appointed the Justice G.D. Khosla Commission in July 1970 to

Secret



“inquire into all the facts and circumstances relating to the disappearance of Netaji Subhas Chandra Bose in 1945 and the subsequent developments connected therewith and make its report to the Central Government”. This Commission also came to the conclusion that Netaji had succumbed to his injuries sustained in the plane crash at Taihoku and that his ashes had been taken to Tokyo. The Government of India accepted this report.

### 3.0 **Appointment of Justice Mukherjee Commission of Inquiry**

3.1 The findings of the Khosla Commission also did not put an end to the controversy surrounding Netaji's death. There was consistent demand for fresh inquiry into this matter. In a Writ Petition filed before the Kolkata High Court, a Division Bench, by its judgment dated 30<sup>th</sup> April, 1998, directed the Union of India to re-inquire into the alleged disappearance of Netaji, in accordance with law, by appointing a Commission of Inquiry. This was followed by a motion adopted by the West Bengal Legislative Assembly on December 24, 1998 demanding that the Government of India should enable public access to all records and documents to demystify the matters in and outside India pertaining to the whereabouts of Netaji Subhas Chandra Bose.

3.2 Consequently, on 14<sup>th</sup> May, 1999 (copy of Notification is annexed at Annexure I) the Government of India appointed the Justice Mukherjee Commission of Inquiry (JMCI) headed by Justice M.K. Mukherjee, Retired Judge of the Supreme Court, to inquire into all the facts and circumstances related to the



disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith, including :-

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash, as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
- (d) whether he has died in any other manner at any other place and, if so, when and how; and
- (e) if he is alive, in respect of his whereabouts.

4.0 **Findings of JMCI**

4.1 JMCI, after examining 131 witnesses, visiting U.K., Japan, Taiwan, Bangkok and the Russian Federation and sieving through 308 exhibits, has submitted its findings on 8<sup>th</sup> November, 2005 as follows :-

- (a) Netaji Subhas Chandra Bose is dead.
- (b) He did not die in the plane crash, as alleged.
- (c) The ashes in the Japanese temple are not of Netaji.
- (d) In the absence of any clinching evidence a positive answer cannot be given.
- (e) Answer already given in (a) above.

4.2 (i) On (a), the JMCI has stated that Netaji is dead because the average Indian's life span is 70 – 75 years and Netaji would have been more than 108 years old now (his date of birth being 23-1-1897).



(ii) On (b), the JMCI has concluded that Netaji did not die in the plane crash as documentary evidence such as medical certificate, cremation certificate, plane crash records etc. are not available.

(iii) On (c), the JMCI has stated that since the ashes collected were of Ichiro Okura – not of Netaji – the only inference that can be drawn is that the ashes lying in that temple cannot be of Netaji.

(iv) On (d) and (e), the JMCI has stated that none of the versions regarding Netaji's death stands substantiated. Hence, the only legitimate inference that can be drawn is that "Netaji is no more".

#### 5.0 **Limitations and constraints mentioned by the Commission**

5.1 The Commission has mentioned its limitations and constraints in Chapter Two of the Report. The Commission has observed that the following files/documents, which were not produced, would have been of assistance in answering the terms of reference :-

- i) File No. 12(226)/56-PM (Investigation into the circumstances leading to the death of Subhas Chandra Bose),
- ii) 'Contemporary official records' referred to by Prime Minister Morarji Desai in the Lok Sabha on 28-8-1978,
- iii) Some records of the proceedings/documents exhibited before the Khosla Commission, and
- iv) Two British Government files.

5.2 As regards (i), the Director, PMO, by letter dated 4-7-2000 had stated that file No. 12(226)/56-PM which contained agenda paper/cabinet decision regarding



Investigation into the circumstances leading to the death of Shri Subhas Chandra Bose was destroyed in 1972 in course of routine review/weeding of old records "records of Cabinet proceedings are kept permanently in Cabinet Secretariat, from where they may be procured". However, according to letter dated 31-10-2000 of Deputy Secretary, Cabinet Secretariat, "their organization had no record relating to the events as it was formed only on September 21, 1968."

5.3 As regards (ii) above, the Commission has observed that it found it extremely difficult to persuade itself of the non-availability of contemporary official records which were referred to by Prime Minister Morarji Desai in reply to a motion moved by Prof. Samar Guha in the Lok Sabha on 28-8-1978 viz. "There have been two enquiries into the report of the death of Netaji Subhas Chandra Bose in the air-crash on 18<sup>th</sup> August 1945 ..... The majority report of the first Committee and Shri Khosla held the report of the death as true. Since then, reasonable doubts have been cast on the correctness of the conclusions reached in the two reports and various important contradictions in the testimony of witnesses have been noticed, some further contemporary official documentary records have also become available. In the light of those doubts and contradictions and those records, Government find it difficult to accept that the earlier conclusions are decisive."

But no such 'further contemporary official documentary records' was available in the PMO, the MEA, the Cabinet Secretariat and the MHA. Referring to file No. 2/64/78-PM, Joint Secretary, PMO, wrote to say that the materials in the file



merely included letters from non-Government personalities with reference to old newspapers and notes thereon.

5.4 Regarding (iii) above, the Commission was provided with all available records pertaining to the proceedings of the Khosla Commission. Some records of Khosla Commission could, however, not be retrieved in spite of vigorous efforts and, therefore, could not be supplied to the Commission for its scrutiny. An affidavit to this effect was provided to the Commission by the then Joint Secretary (Internal Security), MHA.

5.5 Regarding (iv) above, in the course of inquiry, the Commission went to England to study relevant files and records of some libraries and offices. The Commission was, however, withheld access to some papers from the files of Intelligence and Security agencies (reportedly not containing any additional information relating to Netaji's death) by the Foreign and Commonwealth Office of the British Government on the ground that they were 'closed.'

5.6 At the behest of the Commission, the MEA requested the Government of United States of America to make available to the Commission all declassified documents on Netaji Subhas Chandra Bose/INA in their possession including those of CIA and McArthur papers. The response of the Director of Textual Archives Services Division was positive, while the US Embassy in India stated that they did not have any documents relevant to the period of Netaji's disappearance. Taking a cue from the US Embassy's letter dated 23-6-2003, the Commission requested MEA to engage some suitable willing scholars or students to do the job of



archival research on Netaji Subhas Chandra Bose at various American repositories. MEA has since informed vide their letter dated 5-4-2006 that the "Mission in Washington DC had not found the researchers as requested by the JMCI till the time of the Commission writing its report."

5.7 The Commission has also mentioned that they were not able to proceed further on the matter of DNA testing of the ashes lying in the Renkoji Temple, Tokyo, because of the reticence of the Temple authorities to accord their consent to physical inspection and collection of potentially less charred bone pieces from the casket lying in their custody.

6.0 **Observations on the findings of the Commission**

6.1 The earlier Committee and Commission which enquired into the matter came to the conclusion that Netaji died from burn injuries sustained in the plane crash at Taihoku on 18<sup>th</sup> August, 1945.

6.1.1 The Shah Nawaz Committee has stated in their report that "It will thus be seen that the evidence given by witnesses before us as to Netaji's death is corroborated by the findings of British and American Intelligence organizations who undertook independent enquiries very soon after the occurrence, and the conclusions of an unofficial enquiry conducted a year later by an Indian journalist. As for the witnesses who have deposed before us, neither from their antecedents, nor from the manner in which they made their statements, has the Committee any reason to disbelieve their stories." The Committee also stated that "Most of the Japanese witnesses are not now connected with the Government of Japan, and are



in no way obliged to give evidence according to any particular brief." The Committee, thus, concluded that "They all point to the fact that Netaji Subhas Chandra Bose died at Taihoku Military Hospital on the night of 18<sup>th</sup> August, 1945. We accept this conclusion."

6.1.2 On this point, the Khosla Commission recorded that "After giving the most anxious consideration to all the available evidence, the criticism to which the statements of the various witnesses were subjected and the arguments advanced by counsel, I have reached the conclusion that the story of the air crash at the Taihoku airfield in Taiwan and the subsequent death of Bose, resulting from burn injuries sustained by him in the crash must be believed. This story is substantiated by the testimony of wholly independent witnesses, four of whom were Bose's co-passengers in the plane which crashed, one is the doctor who attended to him and signed the death certificate."

6.2 The basis of JMCI's response to terms of reference (b) is the non-availability of papers relating to the plane crash. In this regard, the Khosla Commission observed that "the papers in the plane must have perished in the fire, because the front portion of the plane where they would normally be kept was completely destroyed." It also observed that "It is only conjecture that such papers must have been prepared ergo, their non-production disproves the crash story. It is against reason, common sense and the rules of evidence to base a conclusion on such an unjustifiable and unsubstantiated assumption."



6.3 As regards the ashes kept in the Renkoji Temple of Tokyo as contained in (c) of the terms of reference, the JMCI's conclusion that the ashes in the Japanese temple are not of Netaji, is based on the fact that the death of one Okara Ichiro has been passed off as that of Netaji.

6.4.1 Shah Nawaz Committee's findings on ashes is that "From what has been said, it will be seen that the ashes were moved in stages from the crematorium to Nishi Honganji temple, from there to Minami Aerodrome, and thence to Tokyo Imperial General Headquarters. The progress thereafter was from the Imperial General Headquarters, first to Mr. Ramamurti's house and then to Mrs. Sahay's house, and finally to the Renkoji temple. There is no break in the chain." The Committee also concluded that "So, although there cannot be absolute certainty, nevertheless, it can be said that, in all probability, the ashes kept in Renkoji temple, Tokyo, are the ashes of Netaji Subhas Chandra Bose."

6.4.2 The death certificate relating to Ichiro Okura was also produced before the Khosla Commission which held that "It is clear that neither the name nor the date of birth of the deceased mentioned in these two documents is truly descriptive of Bose." Thereafter the Commission observed that "The argument is in the nature of non-sequitur, for what does not relate to an event, cannot be used to disprove it. It is tantamount to raising a phantom and then destroying it. I do not, therefore, accept the contention that these documents relate to Bose and that they disprove the factum of his death."



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6.5 The JMCI contacted some experts in India and abroad to conduct a successful DNA test on the mortal remains preserved in the Renkoji Temple. Most experts expressed doubt about the success of a DNA test on bone samples which had been subjected to high temperatures. Only one foreign company agreed to attempt mitochondrial DNA analysis of the remains, provided recognizable teeth or other anatomically identifiable parts remain. The Commission sought such assurance from the Temple authorities; but finally stated that it had not been able to get this DNA test done because of "reticent attitude" of the temple authorities, and their reminders to the MEA in this regard evoked no response.

6.5.1 Regarding non-receipt of response from MEA about the DNA test, MEA have since informed (in reply to D.O. letter dated 30-3-2006), that "It is MEA's understanding that the Head Priest of Renkoji Temple has agreed to the DNA testing of the alleged remains of Netaji kept in his temple in Tokyo, with the only conditions being that the names of his father and himself be recognized wherever the remains are finally interred and that if possible, he be allowed to retain any part of the remains so that he can continue to pray for the soul of Netaji."

6.5.2 In response to D.O. letter dated 3-4-2006, the Director, Centre for Cellular and Molecular Biology, Hyderabad (where facilities are now available for study of ancient DNA), by his letter dated 4-4-2006 has since opined that "There is hardly any piece of bone apparently unburnt. Based on our past experience of trying to isolate DNA from such type of forensic samples, I can confidently say that there is hardly any possibility (may be about 1%) of getting any DNA at all. I would also



like to point out that if we make an attempt to isolate DNA with such a low possibility, the total ashes will be used up in the process, and nothing will be left."

6.5.3 In the light of the views expressed by the Director, CCMB, Hyderabad, it is apparent that no useful purpose may be served even if the mortal remains preserved in the Renkoji Temple of Tokyo are obtained and put to DNA testing.

**Conclusion**

7. The Government may, therefore, regretfully accept the findings of JMCI that Netaji Subhas Chandra Bose is dead and that it may not be now possible to comprehensively establish the circumstances of his death. However, the Government may not accept the finding of JMCI that he did not die in the plane crash since the absence of documents does not conclusively disprove the plane crash in the face of overwhelming oral evidence of those who survived the crash.

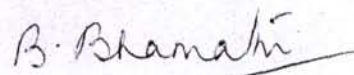
**Proposal**

8. The proposals contained in para 7 above are placed before the Cabinet for approval. Approval of the Cabinet is also solicited to the Action Taken Report annexed at Annexure II.

9. Implementation Schedule is given in the Appendix.

10. Home Minister has seen and approved the Note.

Place: New Delhi.  
Date: 4.5.2006.

  
(B. Bhamathi)  
Joint Secretary to the Government of India

To  
Cabinet Secretariat,  
Rashtrapati Bhawan, New Delhi.

Secret



**APPENDIX**

No. 12014/8/2005-NCB.II  
Government of India  
Ministry of Home Affairs  
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**STATEMENT OF IMPLEMENTATION SCHEDULE**

**Subject:** Report of Justice Mukherjee Commission of Inquiry on alleged disappearance of Netaji Subhas Chandra Bose – Action Taken Report.

Gist of decision required	Benefits/result	Time frame and manner of Implementation/ Reporting to Cabinet Secretariat
Non-acceptance of the findings of the Justice Mukherjee Commission of Inquiry except that Netaji is dead.	Resolution of the controversy relating to the alleged disappearance/death of Netaji Subhas Chandra Bose.	As per provisions of Section 3(4) of the Commissions of Inquiry Act, 1952, the report will be tabled before the re-convened Session of both the Houses of Parliament in May 2006.

*B. Bhamathi*  
(B. Bhamathi)  
Joint Secretary to the Government of India



**ANNEXURE - I**

(TO BE PUBLISHED IN PART II, SECTION 3, SUB SECTION (ii) OF THE  
GAZETTE OF INDIA , EXTRAORDINARY DATED 14-5-1999)

Government of India  
Ministry of Home Affairs

**NOTIFICATION**

New Delhi, the 14.5.1999.

S.O. 339(E) – Whereas the Shah Nawaz Khan Committee and the Khosla Commission of Inquiry appointed by the Government of India in April, 1956 and July, 1970 respectively to inquire into and to report to the Government of India on the circumstances concerning the departure of Netaji Subhas Chandra Bose from Bangkok about the 16<sup>th</sup> August, 1945, his reported death as a result of an air craft accident, and subsequent developments connected therewith had come to the conclusion that Netaji Subhas Chandra Bose met his death in an air crash;

And, whereas there is a wide spread feeling among the public that the issue of finding the truth about Netaji's death still remains;

And, whereas there has been a consistent demand for a further inquiry into the matter;

And, whereas the Calcutta High Court also directed the Government of India for a vigorous inquiry in accordance with Law, if necessary, by appointing a Commission of Inquiry for the purpose of giving an end to this controversy;

And, whereas a Motion was adopted on 24.12.1998 by the West Bengal Legislative Assembly wherein a demand has been made for a fresh inquiry into the matter to remove the mystery regarding the whereabouts of Netaji Subhas Chandra Bose;

And whereas the Central Government is of the opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an indepth inquiry into a definite matter of a public importance, namely, the disappearance of Netaji Subhas Chandra Bose in 1945;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby appoints a Commission of Inquiry consisting of Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India.



2. The Commission shall inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including :-

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash, as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
- (d) whether he has died in any other manner at any other place and, if so, when and how;
- (e) if he is alive, in respect of his whereabouts.

3. The Commission shall also examine the manner in which the exercise of Scrutiny of Publications touching upon the question of death or otherwise of Netaji can be undertaken by the Central Government in the circumstances

4. The Commission shall submit its report to the Central Government as soon as possible but not later than six months from the date of publication of this notification.

5. The headquarters of the Commission shall be at New Delhi, and/or any other place as determined by the Commission.

6. The Central Government is of the opinion that, having regard to the nature of the inquiry to be made and other circumstances of the case, all the provisions of sub-section (2), sub-section (3), sub-section (4) and sub-section (5) of Section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952) should be made applicable to the said Commission and the Central Government in exercise of the powers conferred by sub-section (1) of the said section 5, hereby directs that all the provisions of the said sub-sections (2) to (5) of that section shall apply to the Commission.

Sd..  
(Nikhil Kumar)  
14.5.99.  
Special Secretary (ISP)  
(F.No. VI/11034/18/98-IS(D.III))



**ANNEXURE - II**

**MEMORANDUM OF ACTION TAKEN ON THE REPORT  
OF THE JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
REGARDING THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE**

By Government of India Notification No. S.O. 339(E) dated 14<sup>th</sup> May, 1999, Shri M.K. Mukherjee, retired Judge of the Supreme Court of India, was appointed under the Commissions of Inquiry Act, 1952, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including –

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash, as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
- (d) whether he has died in any other manner at any other place and, if so, when and how;
- (e) if he is alive, in respect of his whereabouts.

2. The Government have examined the report in detail and have regretfully accepted the conclusion that Netaji may not be with us any more and it is now not possible to comprehensively establish the circumstances of his death; but are not inclined to accept the findings of the Commission that Netaji Subhas Chandra Bose did not die in the plane crash because absence of documents does not conclusively disprove the overwhelming oral evidence of those who survived the crash, as testified before the Netaji Inquiry Committee (Shah Nawaz Committee), 1956 and Khosla Commission, 1970 - 74.

3. This Report is placed before the Houses as required under sub-section (4) of Section 3 of the Commissions of Inquiry Act, 1952.





SECRET/MOST IMMEDIATE

**VIJAI SHARMA**  
Additional Secretary  
Tel: 2301 2697

अपर सचिव  
मंत्रिमण्डल सचिवालय  
राष्ट्रपति भवन, नई दिल्ली - 110004  
ADDITIONAL SECRETARY  
CABINET SECRETARIAT  
RASHTRAPATI BHAWAN  
NEW DELHI - 110004

D.O. No. 19/CM/2006

May 11, 2006

Dear Sir,

The Cabinet in its meeting held on 09.05.2006 considered the note dated 25.04.2006 04.05.2006 from the Ministry of Home Affairs regarding **"Report of Justice Mukherjee Commission of Inquiry on the alleged disappearance of Netaji Subhas Chandra Bose - Action Taken Report"** and

- ✓ (i) observed that the Commission's inquiry was inconclusive in many ways, unable to provide a definitive finding on several issues and at variance with past well accepted Inquiry Commissions' findings in some critical areas; and
- (ii) directed that in the light of (i) above, the Action Taken Report specifically mention that Government did not agree with the findings that:
  - (a) Netaji did not die in the plane crash; and
  - (b) the ashes in the Renkoji Temple were not of Netaji.

2. The minutes of the meeting will be issued in due course. In the meanwhile, this letter may be treated as an authority to take further action in the matter.

With regards,

Yours sincerely,

*Vijai Sharma*  
(VIJAI SHARMA)

**Shri V.K. Duggal,**  
Secretary,  
Ministry of Home Affairs,  
New Delhi.



सी सी एम बी



CCMB

CENTRE FOR CELLULAR AND MOLECULAR BIOLOGY  
(Council of Scientific & Industrial Research)

Uppal Road, Hyderabad - 500 007, India

श्रीशिकीय एवं आणविक जीवविज्ञान केन्द्र  
(वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्)  
उप्पल रोड, हैदराबाद - 500 007, भारत

डॉ. लालजी सिंह  
निदेशक

Dr. Lalji Singh  
Director

FAX 011-24619536

No. DCCMB/34  
April 4, 2006

TOP SECRET/MOST CONFIDENTIAL

Mrs B Bhamathi  
Joint Secretary (Security)  
Ministry of Home Affairs  
Lok Nayak Bhawan, Khan Market  
New Delhi 110 003

Dear Mrs. Bhamathi,

Please refer to your D.O. letter no. 12014/1/2006-NCB.II dated 3<sup>rd</sup> April 2006 referring to the discussion I had with you at CCMB, Hyderabad on the report of the Justice Mukherjee Commission of Inquiry. In reply to your question whether, or to what extent, there is a likelihood of coming to a firm conclusion that the ashes preserved in the Renkoji Temple are that of Netaji Subhas Chandra Bose if those are subjected to DNA test, my replies are as follows:

By looking at the photographs of the ashes shown to me by you, it appears that bones are badly charred. There is hardly any piece of bone apparently unburnt. Based on our past experience of trying to isolate DNA from such type of forensic samples, I can confidently say that there is hardly any possibility (may be about 1%) of getting any DNA at all. I would also like to point out that if we make an attempt to isolate DNA with such a low possibility, the total ashes will be used up in the process, and nothing will be left. Under the circumstances, it may not be worthwhile to undertake isolation of DNA from the ashes of Netaji, which has such a strong sentimental value.

with regards.

Yours sincerely,

L. Singh

[ Lalji Singh ]

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Telegram : Biocentro



## QUESTIONS ON JMCI

Question No.	Text of the question	Answer
1.	JMCI after six and a half years' investigation has stated that Netaji did not die in the plane crash on 18 <sup>th</sup> August, 1945. Taiwan Govt. has also stated that no plane crash took place in August. But Govt. has not accepted the finding. Why?	It has been observed that the Commission's inquiry was inconclusive in many ways and it has not been able to provide definitive findings in the Report. The findings are also at variance with past well-accepted Inquiry Commission's findings in some critical areas. The findings of the JMCI that Netaji did not die in the plane crash are based on non-availability of 'clinching evidence'. Shah Nawaz Committee and Khosla Commission also faced similar predicament. They, therefore, relied on the oral evidence of the witnesses including those who were co-passengers of Netaji in the same ill-fated plane and came to the conclusion that Netaji died in the plane crash on 18 <sup>th</sup> August, 1945 and that he was cremated in Taiwan Crematorium and his ashes were taken to Tokyo and preserved in the Renkoji Temple.
2.	American Intelligence Agency CIA said for the first time in 1964 that Netaji was alive. In 2002 CIA again said that Netaji was 105 years old and would	No Comments. But Shah Nawaz Committee recorded that "It will thus be seen that the evidence given by witnesses before us as to



	<p>return to India soon. Then Taiwan Govt. has said that there was no plane crash and this was supported by American Home Ministry. There is RAW of Govt. of India. What do they say about Netaji? Home Ministry should clarify.</p>	<p>Netaji death is corroborated by the findings of British and American Intelligence organizations who undertook independent enquiries very soon after the occurrence..”</p>
3.	<p>The British Govt. transferred power to the Congress Party under the PM Jawahar Lal Nehru. What were the conditions for such transfer of power as there could be no transfer of power without condition. This should be stated on the floor of the Parliament.</p>	<p>No comments.</p>
4.	<p>As there was confusion about Netaji's death in the plane crash Govt. of India appointed Shah Nawaz Committee and Khosla Commission to ascertain whether Netaji died in the plane crash in Taihoku Airport and whether the ashes preserved in Japan are of Netaji. In spite of that Govt. appointed JMCI through judicial intervention in order to unearth the truth. Thus, the rejection of JMCI's report is shocking. Govt. should come out with all the details stating the reasons for such rejection of the report.</p>	<p>The Government was unable to accept the findings of the JMCI as the Commission's inquiry was inconclusive in many ways and it has not been able to provide definitive findings in the Report. The findings are also at variance with past well-accepted Inquiry Commission's findings in some critical areas. The findings of the JMCI that Netaji did not die in the plane crash are based on non-availability of 'clinching evidence'. Shah Nawaz Committee and Khosla Commission also faced similar predicament. They, therefore, relied on the oral evidence of the witnesses including those who were co-passengers of Netaji in the same ill-fated</p>



		plane and came to the conclusion that Netaji died in the plane crash on 18 <sup>th</sup> August, 1945 and that he was cremated in Taiwan Crematorium and his ashes were taken to Tokyo and preserved in the Renkoji Temple. Thus, the Government found that this Commission's findings do not disprove the plane crash story in the face of overwhelming oral evidence, particularly of those who were co-passengers of Netaji and also the Doctors and staff of the Hospital where Netaji was treated for third degree burn injuries sustained in the plane crash.
5.	JMCI has stated that the ashes preserved in Renkoji Temple are not of Netaji and as such Govt. should stop spending money for maintenance of the ashes.	JMCI's conclusion that the ashes in the Renkoji Temple are not of Netaji is based on imagination and is not based on any firm foundation. Thus, the Govt. does not accept the same.
6.	Shri Subrata Bose, MP (LS) and 43 members of Netaji's family have, through Press Statement in Kolkata on 26.5.2006, demanded acceptance of JMCI report and withdrawal or amendment of the ATR placed in Parliament on 17 <sup>th</sup> May, 2006.	Non-acceptance of the of the report of the JMCI is a fait accompli and, therefore, the question of withdrawal or amendment of the ATR does not arise.
7.	Prof. Chitra Ghose, niece of Netaji and research scholar at the Netaji Subhas Chandra Bose Institute, Kolkata, said that Government of India rejected the findings of the Commission	The Govt. was unable to accept the report as the Commission's inquiry was inconclusive in many ways and it has not been able to provide definitive findings in



	without giving any explanation, and people have legitimate reasons to suspect that it was done with a motive to hide some unsavoury facts from the public or to save the reputation of some well-known personalities or both.	the Report. The findings are also at variance with past well-accepted Inquiry Commission's findings in some critical areas.
8.	Prof. Ghose also said that The Government was willfully suppressing some important facts which were in the form of documents/files and these should be made public without delay.	All records/documents available with the Government were made available to the Commission.
9.	Prof. Ghosh further said that every person of the country had the right to know what actually happened to Netaji and they would generate public opinion to pressurize the Government into accepting the JMCI report which provided 'clinching evidence' that Netaji did not die in the plane crash at Taipei in August 1945.	No comments.
10.	Prof. Ghose also termed as 'most unfortunate, the destruction of some files (for example file No. 12(226)/56 at the PMO on Netaji and said that the remaining ones must made public immediately.	Certain documents/records were destroyed in course of routine weeding out of old records. This is a normal procedure in Govt. offices to make room for new records.
11.	Prof. Ghose also accused the present UPA Govt. and previous NDA Govt. for not extending whole-hearted support to JMCI.	All possible support was extended to the Commission.
12.	In a letter addressed to the Indian PM, Shri Yoshiro Mori, former PM of Japan and President of the Indo-Japanese Association, has requested for the return of the ashes of Netaji preserved in the Renkoji Temple, Tokyo.	This is a delicate matter and cannot be decided hurriedly.



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**DISCUSSION RE: REPORT OF JUSTICE MUKHERJEE****COMMISSION OF INQUIRY REGARDING ALLEGED DISAPPEARANCE OF NETAJI  
SUBHASH CHANDRA BOSE**

1616 hours

SHRI PRABODH PANDA (MIDNAPORE): Thank you, Mr. Chairman.

At the very outset, I must express that I feel proud to raise this matter, by way of a Short Duration Discussion under Rule 193. This matter is of national concern. The whole nation has strong emotions and sentiments in this regard.

I rise to initiate a discussion on the Report of Justice N.K. Mukherjee Commission of Inquiry regarding alleged disappearance of Netaji Subhash Chandra Bose, one of the most charismatic figures of our freedom movement, a great national hero of our freedom movement, and also on the memorandum of Action Taken by the Government on the Report.

Since Independence, three Commissions or Committees were set up. The Mukherjee Commission is the third one. There is no precedence in our country of setting up three Commissions or Committees on the same issue. It is quite natural that it shows the great importance attached to this issue. The issue is about the alleged death of Netaji Subhash Chandra Bose in a plane crash at Taihaku Airport in Famosa, which is familiarly now known as Taiwan and that accident occurred – it is alleged – on the 18<sup>th</sup> August 1945.

Netaji might be dead even before Independence or afterwards. But the whole nation is deeply eager to know and get apprised of the genuine information of his extreme consequences. Nobody can deny that our whole nation, irrespective of the party cadres, holds high respects, remembrance and admiration to the tallest figure, the outstanding figure of our freedom movement.

It is needless to mention here that he is regarded as the distinguished son of our great motherland who was endowed with a tremendous revolutionary zeal and who added a new dimension in the pale stream of our freedom movement. Not just that; beyond the frontier of our country, he set off and formed the *Azad Hind Movement*; with high admiration, we can recall the memory of *Azad Hind Movement*, the formation of Indian National Army which greatly shook the foundation of the British imperialist forces at that time. That left an indelible mark on the nation[V79].

(g3/1620/rk-nsh[R80])



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Sir, the point is that the controversy over the death of such a great patriot surfaced since 1945, just after the announcement was made from the Tokyo Radio on 23<sup>rd</sup> August, 1945. The announcement was, 'that Netaji Subhash Chandra Bose had died in a plane crash on 18<sup>th</sup> August, 1945.' There was a controversy on that report. As that report was full of controversies and could not be relied upon, under strong popular demand from different parts of our country, it was decided to conduct a proper inquiry to know the correct information about the alleged death of Netaji in a plane crash.

It is revealed from the records that the then Prime Minister of our country, Pandit Jawahar Lal Nehru declared on the floor of the Parliament on 5<sup>th</sup> March, 1952 that the report submitted to him by Shri S.A. Aiyer, the former Information and Broadcasting Minister of Provisional Government of Azad Hind had to be taken as authentic. What is said in that report? Shri S.A. Aiyer said in his report that during his visit to Japan in 1951 he went to Renkoji Temple and met the priest Muchizuki. Muchizuki, the Priest of Renkoji Temple stated in his letter dated November 25, 1953 to the then Prime Minister, Pandit Jawahar Lal Nehru that the persons who had brought the alleged ashes to the temple in 1945 were strangers to him and they never met him after that.

Not only that, it would not be out of place to mention here that Shri Aiyer in his book, "Unto Him A Witness", which was submitted to Khosla Commission, categorically stated that it was he who drafted the Domei dispatch on the basis of which Reuters circulated the alleged death news. Aiyer further stated in this connection that without visiting the alleged spot of the alleged crash and without meeting Habibur Rehman, a comrade, a co-passenger of Netaji Subhash Chandra Bose, he had drafted the dispatch on the basis of what he heard from some Japanese officers. So, based on the report of the Japanese officer, he drafted the report. It could not satisfy the Members of the Parliament and the people of the time. So, under the leadership of Pandit Nehru, Shah Nawaz Committee was set up to conduct an inquiry over the death of Netaji Subhash Chandra Bose in a plane crash[R81].

(h3/1625/rc/rjs[r82])

The Committee produced a report but it was not adopted unanimously. Out of three members of that Committee, one important member happened to be the elder brother of great Netaji Subhash Chandra Bose. His name was Shri Suresh Chandra Bose. He submitted a dissent note. Since that report was not unanimous, the controversy remained. It was not removed.

Again another one man Commission was set up, namely, Khosla Commission and its report came on 11.07.1977. The observation and findings of both the Commission and the Committee were that Netaji succumbed to his injuries sustained in a plane crash at Taihoku and that the ashes had been taken to Tokyo. But these findings were not satisfactory. Therefore, the controversy still remained. It could not be removed.



Then, one writ petition was filed before the High Court of Calcutta. The Division Bench of Calcutta High Court directed the Union Government on 30<sup>th</sup> April, 1998 to launch a vigorous inquiry on the same subject. It was followed by a unanimous resolution adopted by West Bengal Assembly on December 24, 1998. So after that Commission, the Government of India appointed one more Commission under Justice Mukherjee Commission. What was assigned to the Mukherjee Commission? It was asked to conduct the inquiry on five aspects – (i) whether Netaji Subhash Chandra Bose is dead or alive; (ii) whether he died in a plane crash as alleged; (iii) whether the ashes kept in Renkoji Temple of Japan are the ashes of Netaji; (iv) whether he died in any other manner and if so what is the place and when did he die; and (v) if he is alive, then what is his whereabouts? So, this Mukherjee Commission was asked to give the report as soon as possible within six months but it was not possible as it was time consuming. So, they had to work hard for not less than six years and it submitted the report. After that the Government of India tabled the Memorandum of Action on the report on 17<sup>th</sup> May, 2006[r83].

(j3/1630/snb-rps[snb84])

It was said that the Government would table a memorandum on the Action Taken on the Report within six months of the submission of the Report. But the Government was unable to do so. A number of reasons and explanations were given for this. All these explanations given were technical in nature. What were the explanations given? The explanations given for delay in tabling of the Memorandum of Action Taken on the Report was that there was a lot of time consumed for translation and printing and also for consideration of the Report by the Government, its approval by the Cabinet and lastly it was said that Parliament was adjourned. Now, today we have to believe that due to constraints of printing and translation, the Government was unable to table the memorandum of Action Taken on the Report of the Commission. All these reasons, it seems, are shallow and the fact is that the Government did not take this seriously. They had taken the matter casually and had delayed the tabling of the Memorandum of Action Taken on the Report.

Sir, the Government responded on only two points of the Report of the Commission. The first point was that Netaji did not die in a plane crash. The Mukherjee Commission, out of the five points that they were to investigate on, had investigated on four points and one point was left out. The point that the Commission did not investigate on was how and in what manner Netaji died. The Commission had investigated on the other four points and gave their Report. The Commission came to the conclusion that Netaji was no more living and that he was dead. They also had contented that his death was not owing to any plane crash. Therefore, the story made out that he died in a plane crash is not credible. There was no sufficient ground to believe that. The Commission had narrated several instances in the Report and has concluded that this story about his death owing to a plane crash was a concocted and a manufactured story. The Commission even quoted a well-known journalist, belonging to INTUC, of that time. He has written a book and the Commission quoted from that book also.



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The second issue on which the Commission has commented on is a very sensitive issue and that is about the ashes, supposedly to be that of the late Netaji, that were kept in the Renkoji temple in Japan. The Commission has contended that it was not of the late Netaji but was one of the late Okahara Ichiro. All these information are there in the Report[snb85].

(k3/1635/ru-jr)

But I am sorry to say that in spite of the hard work, in spite of their findings, the Government of the day is not in a position to believe it and not in a position to agree with the Report submitted by the Commission. They are not only denying the Report submitted by the Commission itself but they are also denying the observation of the then Prime Minister in 1978. The then Prime Minister of India, Shri Morarji Desai, while replying in this House itself made the following statement on 28<sup>th</sup> August, 1978. I would quote from his statement.

“There have been two inquiries into the report of the death of Netaji Subhash Chandra Bose in the air crash on 18<sup>th</sup> August, 1945 at Taihoku airfield during his air journey to Manchuria, one by the Committee presided over by Major General Shah Nawaz Khan and the second by a one-man Committee of Inquiry headed by Shri G.D. Khosla, a retired judge of the Punjab High Court. The majority Report of the first Committee and Shri Khosla held the Report of the death as true. Since then, reasonable doubts have been cast on the correctness of the conclusions reached in the two reports and various important contradictions in the testimony of witnesses have been noticed. Some further temporary official documentary records have also become available. In the light of those doubts and contradictions and those records, Government find it difficult to accept that the earlier conclusions are decisive.”

This statement was made by no other person than the then Prime Minister in this august House. But the Government of the day are also denying the observations and findings of the Mukherjee Commission. Not only are they denying the Report of the Mukherjee Commission but they are also denying the observations and demands of the Prime Minister who had made this statement in this august House.

My point is, all these have created nothing but confusion. Mystery was not solved but more confusion was created, confusion regarding his death, confusion regarding the plane crash, confusion regarding the ashes stored in the Rankoji Temple. We are ashamed that in spite of all these, we are paying homage to Netaji Subhash Chandra Bose since Independence. We are paying homage at the Japanese temple. We should be ashamed for that. It is not a very ordinary issue. It is not only this question but there are other questions involved in this issue.

The Commission has made some serious remarks in regard to the attitude shown by the Government towards the Commission. They are very serious. The subject of inquiry is on the death of



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Netaji Subhash Chandra Bose[bru86].

(13/1640/rbn/har[r87])

But what was the attitude of the Government officers towards the Inquiry Commission? In the Report of the Commission, a remark has been made that some files and documents had not been produced by the Government of India in spite of repeated reminders. In spite of repeated reminders the Government officials did not produce the files and documents to the Commission. This is a serious allegation. Secondly, file was not available as it has been destroyed. This is a separate thing. The Government should reply and respond to these allegations.

They have just come to the conclusion that they did not agree with the Report of the Commission. They did not give any reason or explanation as to why they did not agree with the findings of the Commission. There is only one page of White Paper.

Sir, through you, I want to draw the attention of the Government, the whole House and of the nation to this issue. This is not an ordinary issue. This is about no other than Netaji Subhash Chandra Bose. He was one of the topmost and charismatic figures of our freedom movement. No one can deny his passionate patriotism and his national fervour. Posterity will ever remember him with reverence. No one can remove this reverence of our nation to him.

I know that it is very difficult to find out genuine information about his death. But how did the Government come to the conclusion that the Report and the findings of this Commission is not agreeable? So, the present Report of the Commission, the stand of this Government; the stand of the then Prime Minister, Shri Morarji Desai; the reports about Renkoji Temple and his ashes, have all created a lot of confusion. The mystery has not been solved, but it remained.

I appeal, as this is the case of Netaji Subhash Chandra Bose, we should be serious. We should not take the matter in a casual manner. Netaji Subhash Chandra Bose distinguished himself with his passionate patriotic zeal and revolutionary zeal. He formed the Azad Hind Government beyond the frontier of our country. It is known to all of us that he distinguished himself. We all adopted the slogan "*Jai Hind*". That slogan was given by Netaji himself.

I do not know whether this Government will appoint a new Commission or not. It is up to them. The Government should declare Netaji Subhash Chandra Bose as the national martyr. We should pay our highest respect and homage to him, not in a casual manner and not in an apathetic manner as it is shown today.

(m3/1645/tkd-ind[R88])



With these words I initiate the discussion. The hon. Home Minister, Shri Shivraj V. Patil, is present in this august House. Shri Priya Ranjan Dasmunsi, whom I respect a lot, is also now present in the House[r89]. Our senior colleagues are also present here. I am not blaming them. I am not standing here to blame them. I am just raising the matter for discussion so that we can give proper emphasis and we discharge our responsibility in this regard as much as we can.

Sir, with these few words, I conclude my speech. Jai Hind!

Thank you.

(ends)

1645 hours

SHRI SUBRATA BOSE (BARASAT): Mr. Chairman, Sir I thank you very much for giving me this opportunity to speak on this motion moved under Rule 193.

Sir, at the outset, I would like to point out to you and all the hon. Members that this is a matter of 60 years old. If one has to understand the issue properly, one has to tell the tale of the last 60 years. In all humility, before I begin, I crave the indulgence of you, Mr. Chairman, Sir, the hon. Minister of Home Affairs, the hon. Minister of Parliamentary Affairs and the hon. Members to speak at length on this subject. I shall certainly not repeat what my previous speaker, the hon. Shri Prabodh Panda, has said. I thank him for initiating this discussion. But I will have to give a little background.

When in the first week of August, 1945 the Second World War in the Asian Theatre came to a close after an atom bomb was hurled over Nagasaki and Hiroshima in Japan resulting in the surrender of Japan, Netaji's Azad Hind Fauz had also to accept the defeat. They were two alternatives before Netaji Subhash Chandra Bose at that time. There were two [R90]alternative courses of action. One was to surrender to the Anglo-American Forces, and [R91]the second was to go to another country, seek asylum and continue to involve himself in the struggle for the freedom of our country. Since surrender was not in his nature, he chose the second alternative. While retreating, when he arrived in Bangkok, he told his associates that he has decided to go to the then Soviet Russia[R92].

(n3/1650/brv-am[R93])

He also informed them that the Japanese Government agreed to help him to go to Russia. But Russia also declared war against Japan just after the atom bomb was hurled. So, Japan could not guarantee to take him to Russia. But they offered to take him to Manchuria in North China.

The hon. Members would certainly recall that although China was under the reign of General Shanghai Sheikh, at that time, officially Manchuria was virtually – even then in 1945 – under the control



of the Communist China, under the leadership of Mao Tse Tung. So, he agreed and said: "Yes, you reach me up to Manchuria and then I shall make my way to Russia on my own." He took a great risk. But that was his life. How many times did he take risks for the freedom battle? He escaped from Kolkata during the war, went to Germany traversing throughout North of India, Afghanistan, Soviet Russia and then to Germany. Any day, he could have been captured. Anywhere he could have been captured and that would have been the end of it. He did not bother.

Again, when the World War came to the Asian Theatre, he took that risk of coming from Germany to East Asia in a submarine where any time, any moment, he would have lost his life. But he took the risk. That was his nature. That was his life. He took the risk. From Bangkok, when he left on his way to Russia, he took six of his associates with him including Col. Habibur Rehman who, in this episode about the alleged air crash, in Taihuku in Taiwan, was the main evidence giver, supporting the theory of death by air accident of Netaji. All the five are no more. But there is one survivor who is Col. Pretam Singh of the INA who is still alive. He lives near Dehradun. He appeared before the Mukherjee Commission of Inquiry to confirm to the Commission that Netaji was going to Russia. Japan told them that when the plane reached Saigon, they could not accommodate all the Indians including Netaji in one plane. Netaji had to choose one out of those companions and the others would later be taken to Manchuria to join Netaji. The second part never happened. Netaji chose Col. Habibur Rehman.

From the Japanese Government document, it has been found that there is confirmation that Japan agreed to take him to Russia. It is not only that. This was also an escape plan. So, the plan included that as he left Saigon, Japan would announce that he had died in an air crash[R94].



(o3/1655/ksp/bks[k95])

That was in the plan which has been found in the records of the Japanese Government. But the Japanese Government subsequently mentioned that what was planned unfortunately happened and Netaji actually died in the air crash.

Shri Prabodh Panda had already described how the news was given out by the Government of Japan. According to the Japanese Government, the accident occurred on 18<sup>th</sup> August, 1945. It took them five days to deliberate and then announce to the world in a cryptic one line that Subhash Chandra Bose had died in an air crash. They did not mention the site on 18<sup>th</sup> August, 1945. It was later released and very intelligently Mr. S.A. Iyer, about whom Shri Prabodh Panda had already mentioned, was asked to draft a communique under their dictation, although I must say that Mr. S.A. Iyer himself has admitted that he was left at Bangkok and he was not one of those associates who was taken. Suddenly he got a message, a very confidential message that Subhash Chandra Bose had died in an air crash in Taiwan and a plane is ready to take him to Taiwan to see his body and be present at the cremation so that he can be a witness.

When he got into the plane, he was under the impression that he was going to Taiwan, but the plane took him to Tokyo. Under the dictates of the Japanese Government, he drafted that communique which was released not by the Japanese Government through their own news agency, but through a private news agency, the DOMEI News Agency. It was picked up by Reuters and Reuters circulated it all over India. In those days, television was not there, the radio also was not that popular and we, in India, read it in the newspaper on 24<sup>th</sup> August, 1945 morning that shocking news that Subhash Chandra Bose had died in an air crash on 18<sup>th</sup> August, 1945. The people were stunned. Naturally, any news of this kind would shock the people of India.

What was Mahatma Gandhi's reaction? My father, late Sarat Chandra Bose was still then in prison. At least, the senior hon. Members of this House would know that he was the closest associate of Netaji both in his private life as well as political life. But his elder brother, the eldest of the sons, Shri Satish Chandra Bose was there. Mahatma Gandhi sent him a telegram. Mahatma Gandhi had always been cryptic. His message was, 'don't perform *shraad*'. That was the beginning of the doubt.

The British and the American intelligent agents were naturally following Subhash Chandra Bose. This accident was supposed to have occurred in 1945, on 18<sup>th</sup> August[k96].

(p3/1700/rs/asa)

On [Rs97]25<sup>th</sup> October, 1945, there was a meeting of the British Cabinet in London, which was presided over by the then Prime Minister, Clement Atlee. After the elections, Winston Churchill's



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Conservative Party lost and the Labour Party came into power, just a little more than two months after that. This is available from a very authoritative book, 'The Transfer of Power', published by the British Government, giving the details of how India gained independence or according to the British how India was granted independence.

This 'Transfer of Power' Volume VI published from Her Majesty's Stationery Service, London, refers to the Minutes and Resolutions of a Cabinet meeting presided over by Prime Minister Atlee, held on 25<sup>th</sup> October 1945. The Resolution branded Netaji as the only civilian renegade of importance. That is how they described Netaji Subhash Chandra Bose. It is not a surprise, Sir. Then, the Cabinet dwelt on the method of how to try him. The question before the Cabinet was whether he should be arrested and tried, where he is arrested or whether he should be arrested and brought to India and tried in India. That is what they wanted to discuss.

In the meantime, the British India Government sent a third question to them. The British India Government suggested that the Cabinet must remember the consequences of trying him. In this context, they put forward a proposal in one of the internal correspondences, which was dated 23<sup>rd</sup> August 1945, 'leave him, where he is and do not ask for his surrender'. The British India Government, in August 1945, sent this proposal to the British Government.

The Cabinet, at its meeting on 25<sup>th</sup> October 1945, decided, the only civilian renegade of importance, Subhash Chandra Bose, that it would be better to leave him where he is. So, the British Government even in August 1945 knew that Subhash Chandra Bose was not dead. It is not from any individual, but from the British Government itself.

In the meantime, Habib-ur-Rehman, who claimed to have seemed Netaji being wounded, whole body in fire, coming down from the plane, which crashed, at Taihoku, tried with his hands to put off the fire but failed. He also claimed that he was there when he was taken to a hospital in Taipei, the capital of Taiwan[Rs98].

(q3/1705/rcp[r99]/hcb)

**He also claimed that he was a witness to his death. He came back to India, was under arrest first, and then he was released subsequently. In 1946, in the month of August, just one year after that alleged air accident, Col. Habibur Rahman came to our residence in Kolkata, met my father, late Shri Sharat Chandra Bose. They had a discussion for about 2 ½ hours. After that discussion, Sharat Chandra Bose came out and said : "Habibur is not speaking the truth." Then, Habibur Rahman went over to Delhi to meet Mahatmaji, the Father of the Nation, as Netaji called him. I still remember as a child hearing over the radio: "Father of the Nation, I seek your blessings in this sacred hour for Independence of our great country." He met Father of the Nation. Naturally, the representatives of the media asked him: "What has Habibur Rahman told you?" Once again, in a cryptic message to his countrymen, Mahatmaji said: "Habibur told me what his leader has ordered him to say." I leave it to the hon. Members' interpretation as to what Gandhiji meant.**



**That doubt was there. But the doubt also vanished.**

MR. CHAIRMAN (DR. LAXMINARAYAN PANDEY): Shri Bose, you have taken about 25 minutes. Kindly be brief.

SHRI SUBRATA BOSE (BARASAT): I cannot be brief. I seek the indulgence of the House. If not now, I will continue tomorrow.

श्री अनंत गंगाराम गीते (रत्नागिरि) : =नको बोलने दीजिए, हमें भाषा नहीं है\* ... (व्यवधान)

सभापति महोदय : मैं =नको रोक नहीं रहा हूँ\* I am only requesting him.

... (Interruptions)

MR. CHAIRMAN: Shri Bose, I am requesting you. You have taken about 25 minutes. Kindly be brief.

SHRI SUBRATA BOSE (BARASAT): The interim Government had taken over in 1946. Then, the Parliament was not there; the Central Legislative Assembly and the Central Legislative Council were there. Shri Patel, on behalf of the interim Government stated on the 30<sup>th</sup> of October, 1946 in reply to a question of Shri Mangal Singh on Netaji's alleged death that the Government was not in a position to make any authoritative statement on whether Netaji was dead or alive. Again, on 7<sup>th</sup> November, 1946, in an answer to a question in the House put by Yuvraj Datta Singh, Mr. A.E. Poddar replied on behalf of the Government of India.[r100]

(r3/1710/lh-sb[lh101])

It says: "The Government is not in a position to make an authoritative statement on this question." So, it is not that after 60 years doubts have arisen. Doubts started from 1945 or from 1946. Then, we became independent, and our Government took over. So, doubts went on. It was not only the then Prime Minister who doubted the news of the death of Netaji in August, 1945 but there were many others.

In the last Budget Session, I had the opportunity to mention one thing. Yes, I happen to be a member of this family but Netaji does not belong to our family only. I am proud that I happen to be a Member of this august House. I speak not only on behalf of the family but also I speak as a Member of this august House, and I am proud of the opportunity which I have now.



Questions were asked, continued to be asked by people everywhere by our Legislators. The Parliament still had not come into operation. It came in 1952. Naturally, questions were faced by the then Prime Minister, the most revered Pandit Jawaharlal Nehru. In 1951, Pandit Jawaharlal Nehru thought that he must make a statement on this issue. He decided that he would make a statement in the Assembly itself. So, the then Prime Minister was also the Minister of External Affairs. He gave a notice.

Sir, I must say that I will be quoting a lot of notes from the Government files. It is not that I obtained them surreptitiously. I filed an affidavit before the Mukherjee Commission of Inquiry, and I became a deponent. So, by being a deponent, I acquired the right of attending all hearings, cross-examined the witnesses either by myself or by my lawyers, and also had an access to all documents which were received by the Mukherjee Commission of Inquiry mostly from the Government of India, from different Ministries – very few from the Government of West Bengal and some from private individuals. They were made exhibits. So, they became public documents. As a deponent before the Commission, I could obtain the certified copies of them. In the normal course, the most respected Patil ji would know more than myself. He is a lawyer. We pay a fee and obtain certified copies.

(s3/1715/kkd/rpm[KD102])

The then Prime Minister gave a notice. That was on 26<sup>th</sup> September 1951[lh103].

The Prime Minister writes in a note, and I quote:

“It is for us to consider whether we should issue a public statement about this or not...”  
That means, Netaji’s alleged death.

“...In the balance, I am inclined to think that it would be desirable to issue some statement or to make it in Parliament. On the other hand, this may lead to some controversy, possibly even with Shri Subhas Chandra Bose’s family. I think, the best course would be, for us, to draft some such statement and to send it to Shri Subhas Chandra Bose’s family. After hearing from them, we could take a final decision about publication.”

Most differentially, the then Foreign Secretary submitted to the Prime Minister. Prime Minister’s note was dated 26.9.1951, and the then Foreign Secretary’s note was dated 27.9.1951. I quote what the then Foreign Secretary submitted to the PM:

“I told PM that it would be inadvisable for him to make a statement now. Whether or not Shri Subhas Bose is dead is not a live issue at the present. I may not have any doubt on the evidence that Shri Bose is dead, but PM’s political opponent would utilise any statement made by him for propaganda purposes, particularly, in view of the forthcoming elections. I added that there is a significance reference in Habibur Rehman’s statement to Netaji Bose’s intention to get out of the plane at Tairan and to the intention of the



Japanese Authority to let him cross over to the Russian held territory. Habibur Rehman is the really important evidence and those who still cherish the belief that Netaji Bose is alive and is somewhere in Russian held territory, will seize upon any piece of evidence in support of their theory. I also pointed out to PM that whereas according to Habibur Rehman, the dead body was cremated on the 20<sup>th</sup> August, 1945, according to the Municipal Certificate, the cremation took place at 6 p.m. on the 22<sup>nd</sup> August, 1945. One could understand a fictitious name being used in the Death Certificate, and in the Cremation Certificate...

Sir, a Death Certificate was issued in the name one Ichiro Okuda. It was meant to be, according to the Japanese, the Death Certificate and Cremation Certificate of Netaji Subhas Chandra Bose. He refers to that.

I quote, further:

"...According to the Municipal Certificate, the cremation took place at 6 p.m. on 22<sup>nd</sup> August and not on 20<sup>th</sup> August as Habibur Rehman has said. One could understand a fictitious name being used in the Death Certificate and in the Cremation Certificate. But there was no necessity of using a fictitious date of cremation."

That is what he says. So, he advises the PM, in his own opinion, that it would not be perhaps correct to issue a statement[KD104].

(t3/1720/mmn-mm[m105])

This was the beginning of many such similar notes put up by the officers of the Government to the Cabinet or to the Minister to ponder upon. I am saying that this was contrary to the Government's stance that Netaji had died in the plane. Although I was mentioning again and again 60 years, I must skip some years because otherwise I shall never finish.

Since the doubts were there, actually in December 1955, the Government constituted a Committee of Inquiry. Mr. Panda had referred to it. It is interesting to note this. Of the three Members of the Committee, the Chairman, Mr. Shanwaz Khan was then the Parliamentary Secretary to the Government of India. In those days, there was a provision that they were like the Ministers of State or Deputy Ministers. The second member was Mr. S.N. Maitra, an ICS officer, and the third member, as the hon. Member has said, was one of the elder brothers of Netaji, Shri Suresh Chandra Bose.



The Committee did not go to Taiwan because of problems. In those days, I think the problem was more acute than what it is today. Just a few years before that, we had recognised the People's Republic of China, and Shanghai had moved over to Taiwan. Since the People's Republic of China was recognised by us, we had no diplomatic relations any more with the Taiwan Government. We never had. We still do not have. But the Committee, inquiring and investigating into an accident, could not visit the site of the accident. The accident site was not visited. What happens? Unfortunately, we hear train accidents and plane accidents. The first investigation is done at the site. They could not do it.

It went to Japan. The Japanese Government put forward certain lists of witnesses. All were Japanese people. They had also furnished to the Inquiry Committee, through the Government of India, a list of witnesses in Taiwan. Since the Committee could not go to Taiwan, the Government of India requested the U.K. Government to obtain a report from the Taiwanese Government on the accident and on the availability of witnesses living in Taiwan, who had witnessed the air crash or who had been in the hospital or who could give material evidence to the fact of the air accident as well as the date of treatment of Netaji in the Taipei hospital. Taiwan Government sent a report through the U.K. Government[m106].

(u3/1725/krr/mkg[krr107])

According to the Taiwan Government sources, as they told to Justice Mukherjee when he went to Taiwan, they could not find trace of any of the witnesses whose names were given. That report was received by the Government of India before the Shawanawaz Inquiry Committee completed its deliberations. That way, the fact of receipt of a report from Taiwan Government was never disclosed by the Government of India. This information came to the Mukherjee Commission of Inquiry from the papers of the U.K. Government. The U.K. Government files contained a note by an official of the British High Commission that the original report of the Taiwan Government has been handed over to the Ministry of External Affairs of the Government of India and the date as was given is a date when the Shawanawaz Committee of Inquiry was still functioning. This report never saw the light of the day. It was not given to the Shawanawaz Committee of Inquiry, it was not given to the Khosla Commission of Inquiry, it was not given to the Mukherjee Commission of Inquiry.

The Mukherjee Commission of Inquiry found a file of 1956. The file number was there. The title of the file was – Death of S.C. Bose. It was a Government of India's file. The Mukherjee Commission of Inquiry thought that that report must be in that file. They called for the file from the Government of India. The Government of India told them that the file had been destroyed.

Sir, that is the beginning of a sad tale of suppression of facts and information by our Government, by the Government of free India, in respect of Netaji Subhash Chandra Bose, and destruction and reported missing of files. The Mukherjee Commission of Inquiry relentlessly asked for



the file. An important document like the Taiwan Government's report was not there. This is a very sad tale of suppression of facts, suppression of information, destruction of material files, destruction of relevant files and missing of relevant files. You go through these. If the hon. Members go through these, if they have the patience to go through volumes 2-A and 2-B of the report, you will only find how the Mukherjee Commission of Inquiry failed to get the files from the Government of India.

It was said, perhaps hinted that the Taiwan Government, suddenly after 60 years, they have given a concocted report as if they could be influenced by the Mukherjee Commission of Inquiry[krr108].

(w3/1730/san-cp[S109])

That just did not happen. It was not so. In 1956, the first report of the Taiwan Government had come and this was suppressed. I wonder. No, I think, it would be wrong for me to say that. So, I will not say. After all, I am speaking in the Parliament. I must restrain myself. I am not addressing a public meeting. This is the beginning, I say, from the Government of free India. With respect to the first evidence that we had found, from 1956, there has been a continued, not an effort, but intention to destroy files, get files missed so that the truth does not come out.

MR. CHAIRMAN (DR. LAXMINARAYAN PANDEY): Shri Bose, you may kindly tell how much more time you will take. I am not barring you.

SHRI SUBRATA BOSE (BARASAT): Sir, after 60 years, this matter of Netaji Subhash Chandra Bose is being discussed in Parliament. Most humbly, I would submit to you and also to the hon. Minister ... *(Interruptions)*

SHRI BIKRAM KESHARI DEO (KALAHANDI): Sir, please let him continue. ... *(Interruptions)*

MR. CHAIRMAN: Kindly be as brief as you can. I am not barring you.

SHRI SUBRATA BOSE (BARASAT): I think, I will have to continue till tomorrow. ... *(Interruptions)*  
I have to crave the indulgence of the House. I do not know if I am boring them. ... *(Interruptions)*

MR. CHAIRMAN: We have to take other business also because time allotted for this discussion is two hours only. You have taken 55 minutes by now. I am not barring you. I am requesting you.

SHRI MOHAN SINGH (DEORIA): Sir, let him continue tomorrow. ... *(Interruptions)*

MR. CHAIRMAN: I am only requesting him.

... *(Interruptions)*



श्री अनंत गंगाराम गीते (रत्नागिरि) महोदय, हमारा अनुरोध है कि इनको अपनी बात सदन के सामने रखने दें\*

सभापति महोदय : मैं उन्हें रोक नहीं रहा हूँ\* मैं अनुरोध कर रहा हूँ कि जितना संक्षेप में हो सकें, अपनी बात को रखें\*

... (Interruptions)

MR. CHAIRMAN: I am only requesting him.

SHRI SUBRATA BOSE (BARASAT): Sir, it is up to you. Whenever you tell me to stop, I will stop.

The Inquiry Committee was divided. Shri Shah Nawaz Khan and Shri S.N. Moitra held the view that Netaji died in the air crash, but the other Member, Shri Suresh Chandra Bose, did not agree with them. He cited certain facts.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, I just request you that the debate can continue for as many hours as the Speaker will decide. The Government has no objection. The only thing is that I seek the indulgence of the hon. Member who is speaking that in the very said House the Reports of Khosla Commission and Shah Nawaz Commission have been debated from all sides and those are being quoted every now and then. Those are already in the possession of the House. If the hon. Members want to speak, they can take the help of those researched documents of the Parliamentary Library and the proceedings of the House. If the hon. Members repeat all that which has been stated by the earlier speakers in those debates and take time to elaborate those points, I think, the Session will have to continue up to 31<sup>st</sup> August, 2006 because it will take hours together to discuss those volumes. Therefore, I will humbly submit that since Shri Bose is very much knowledgeable on this matter from his point of view, he may take his time, but unless there is a decision as to how long the debate will continue, I cannot scale down other business of the Government and the other side in the House. That is my only submission.

MR. CHAIRMAN: I agree with you. So, I have requested him to be as brief as he can.

SHRI SUBRATA BOSE (BARASAT): Sir, I would again humbly submit to the hon. Minister that I have to mention certain facts. I am not reading whole of the Reports of the two Commissions of Inquiry. Quite a number of Japanese witnesses were there.

1735 hours

(Shri Mohan Singh *in the Chair*)

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): Is it a fact that when the Report of the Shah Nawaz Commission was written initially, the third member agreed to accept the findings and later on, he changed his mind[S110].



(x3/1735/ak-nsh)

SHRI SUBRATA BOSE (BARASAT): I agree with the hon. Minister, Shri Shivraj V. Patil, but he had the right to change his mind.

SHRI SHIVRAJ V. PATIL: Is it a fact or not? This is all that I want to know from you.

SHRI SUBRATA BOSE (BARASAT): Certainly, this is a fact. As I said, you are very correct.

Three of the Japanese witnesses said that they were navigators of the plane. When they were asked where did the crew sit -- in the front or at the back, each of them said that they did not know about it. Such witnesses were produced before the Shah Nawaz Committee. There was one witness who said : "We all got down from that plane in Taipei, and the plane took off with Netaji." This was his version, and it was for the Committee to either accept it or reject it.



I want to mention that the Government had every right to accept the majority view of the Committee, but the dissenting view of the third witness was not only rejected, but it was not even placed before the Government. I believe that majority judgement will naturally be accepted when a bench, in a court of law, gives a dissenting judgement, but the dissenting judgement also goes on record. In this particular case, the Government ensured that it did not go on record.

The report of the Inquiry Committee was that the Government does accept the views of the Committee. The Prime Minister himself declared it as the majority view. But we find from the Government files -- which were given to the Commission of Inquiry -- that the Prime Minister himself had written letters differently to members of the family after the Government had accepted the majority report or majority view of the Shah Nawaz Inquiry Committee.

Shri Suresh Chandra Bose was a Member of the Inquiry Committee, and he wrote a letter to the then Prime Minister in 1962, and the then Prime Minister replied to him on 13/05/1962. I would like to quote what the Prime Minister wrote in it. It states that :

“...You asked me to send you proof of death of Netaji Subhash Chandra Bose. I cannot send you any precise and direct proof...”

In 1964 another member of the family, my elder brother late Shri Amiya Nath Bose, wrote to the then Prime Minister. He was also a Member of this Parliament at one time. He wrote that : “Since there were still doubts in the minds of the people, I think that a Commission of Inquiry should be set up and it should be chaired by the Chief Justice of the Supreme Court[ak111].”

(y3/1740/sh-rjs[R112])

The PM replied to him on 22<sup>nd</sup> April, 1964, about two weeks before his sad demise. What did he write to him? He wrote: “I agree with you that a proper inquiry should be held into the matter of Subhasji’s death. But I do not think that the Chief Justice of Supreme Court would agree to chair such an inquiry.” He was a very close associate of Netaji for many years, right from 1921. He had his own doubts, although as a Government it accepted the majority report of Shah Nawaz Committee Report. Pandit Nehru died, and the doubts went on. In 1970, the then Prime Minister, most respected late Shrimati Indira Gandhi appointed a Commission of Inquiry with Justice G.D. Khosla as the Chairman. By appointment of a Commission of Inquiry, naturally, it can be interpreted but I do not know if the hon. Home Minister will agree with me, it virtually rejected the earlier Report of the Committee of Inquiry. It may be so or it may not be so. But the Commission also must have seen the papers of Netaji.

There is one difference between the Shah Nawaz Committee of Inquiry and the Khosla



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Commission of Inquiry. Justice Khosla naturally thought that he must go to Taihaku, and the Government made arrangements for his visit. But unfortunately, he did not meet the Taiwan Government officials. He said that in his Report. He did not or could not see the site of accident because that Taihaku Airport was no more in existence when Justice Khosla visited Taiwan after 1970. He did not visit the crematorium, but he writes that some people in the Hotel where he was staying pointed out to him that the hotel overlooks the place where Taihaku Airport was. That is what we saw also in Taiwan. As a dependent, I had the right to attend the hearings. So on my own, I had also gone to Taiwan. When Justice Mukherjee Commission had gone to Taiwan, we also went to see that place. We found the hotel, we found the Museum, we found residential houses, but the site of accident was no more there. He did not visit the crematorium either to obtain the cremation reports. He visited the hospital, but the hospital had changed hands and they told him that they had no more records of 1945 [R113].

(z3/1745/kmr/rps[KMR114])

Justice Khosla - rightly or wrongly, I may agree or I may not agree, you may agree – also concurred with the Shah Nawaz Committee's majority report that Netaji died in the accident. But again, if you go through the report you would find that he said that he did not really get proof of his death, that there is no proof or evidence of his being alive either, or he survived that air crash. Therefore, he would accept that theory that he died.

But a major change in the Government's stand came in 1978.

MR. CHAIRMAN (SHRI MOHAN SINGH): Mr. Bose, can I make a humble request? Only two hours were allotted for this discussion. We have a time constraint. How long do you want to speak now?

SHRI SUBRATA BOSE (BARASAT): I think I will take some more time.

MR. CHAIRMAN: If you can confine your speech to Justice Mukherjee Commission of Enquiry ...  
(Interruptions)

SHRI SUBRATA BOSE (BARASAT): In all humility I submit that if the House would like to transact any other business now, give me an opportunity to continue tomorrow.

MR. CHAIRMAN: How much time do you want?

SHRI SUBRATA BOSE (BARASAT): I think at least an hour more.

MR. CHAIRMAN: It is very difficult.



SHRI SUBRATA BOSE (BARASAT): This is a matter which the people of the whole country want to know about in detail.

MR. CHAIRMAN: Of course, it is a matter of national importance. We do accept it. That is why a discussion was allowed on this topic. But confine your speech to the report of Justice Mukherjee Commission of Enquiry.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, I would like to again make a submission. The hon. Member will also appreciate this. There are very distinguished and knowledgeable Members in this House to take part in this debate. They also have enormous volumes to present in the House. If this goes at this pace, as I said, it would not end even by 31<sup>st</sup> of October. The distinguished Member belongs to the family of Netaji. The family also has two different points of view but I would not like to join issue on that now. What I want to submit is that time to be allotted for these Short Duration Discussions is decided by the BAC. Since the hon. Member desires to stop now and continue tomorrow, let him do that. We could decide about the time tomorrow morning in the leaders meeting. We have no problem.

MR. CHAIRMAN: Could you continue tomorrow? We have some other business to be transacted.

SHRI SUBRATA BOSE (BARASAT): I do not mind doing that. As a Member of the House, I would also like to see that the House transacts other business, certainly. But, please allow me to continue tomorrow.

MR. CHAIRMAN: Yes, you can continue tomorrow. If you can conclude within five minutes, you can go on now.

SHRI SUBRATA BOSE (BARASAT): That is not possible, Sir. I will not be doing justice to a justiciable case.

MR. CHAIRMAN: But we have some difficulty. If you could sort out things and help us, it will be better. Or, please continue your speech tomorrow.

SHRI PRIYA RANJAN DASMUNSI: Sir, let him speak up to six o'clock and then continue tomorrow. The other items of business can be taken up at six o'clock.

MR. CHAIRMAN: Mr. Bose, please continue till six o'clock and then you can continue tomorrow.

SHRI SUBRATA BOSE: All right, Sir.



(92)

I was talking about the change in the approach of the Government which took place in 1978. I will be very brief on that. Hon. Member Shri Prabodh Panda has already mentioned it. He had quoted also from the then Prime Minister's speech in Parliament. That was the first occasion when the Government's approach or thinking on the subject underwent a change officially[KMR115].



(a4/1750/spr-jr[s116])

In this case, before I conclude, I would only mention that as far as the change is concerned, there has been another very important occasion when the Government admitted differently. I would skip that and come back again post- 1978. What I would mention is that before Netaji Subhash Chandra Bose Birth Centenary is observed, to honour him the Government awarded *Bharat Ratna* posthumously. The *Bharat Ratna* became the subject matter of judicial action and the Government was asked by the hon. court that since it declared a posthumous award, it must submit to the court the proof that they have that Netaji is dead. Then, the Government changed its stand and its response was it withdrew or cancelled the *Bharat Ratna* award. Not that it mattered to Netaji as to whether he was given a *Bharat Ratna* award or not. Then, it admitted that it has no proof that Netaji was dead. Later, the Government was preparing to celebrate the Netaji Birth Centenary. As I was talking of the change in the attitude, the approach of the Government, 1978 was the first instance; and the withdrawal or cancellation of *Bharat Ratna* award was the second instance when the Government admitted that it had no proof of Netaji death. I have completed the incident of 1978. I will come to 1999 when an inquiry was appointed. Hence, that by itself will take time, I would crave your indulgence this time not for an extension of time but allow me to complete seven minutes before six o' clock so that when I continue, I can start on a new chapter.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): We have to make a statement. There was a direction from the hon. Speaker in the morning on the matter raised by the distinguished Member, Shri Mohan Singh. I was advised so, and I accordingly brought it to the notice of the hon. Petroleum Minister, who was kept busy with the Delegation. He was very kind to send me a statement immediately. I sought your permission so that MoS can read out the statement.



Points mentioned by Shri Prabodh Panda, MP.	Comments in Shah Nawaz Committee report	Comments in Khosla Commission report	Comments in Mukherjee Commission report	Remarks
<p>Shri S.A. Aiyer, the Information &amp; Broadcasting Minister of Provision Govt. of Azad Hind submitted a report to Pt. Jawaharlal Nehru in which Shri Aiyer stated that during his visit to Japan in 1951 he went to Renkoji Temple and met the priest Muchizuki. Muchizuki stated in his letter dt. 25.11.53 to the then PM Pt. Jawaharlal Nehru that the persons who had brought the alleged</p>	<p>In para 3 of Chapter V of the report under the heading "Netaji's Ashes" it has been stated that "At the main entrance of the Imperial General Headquarters, on the morning of the 8<sup>th</sup> September, the ashes were handed over to Messrs. Murti and Ayer, by Lt. Col. Takakura in a simple and solemn ceremony ....."(Page 47). In the last para of the same chapter of the report, it is stated that "Mr. Ayer went to Tokyo and visited the Renkoji"</p>	-	-	<p>This statement of the Hon'ble is perhaps to indicate that there is doubt as to whose ashes are preserved in the Renkoji Temple. It is mentioned that in para 7 of Chapter V of Shah Nawaz Committee report, it is stated that "From what has been said, it will be seen that the ashes were moved in stages from the crematorium to Nishi Honganji temple, from there to Minami Aerodrome, and thence to Tokyo Imperial General Headquarters. The progress thereafter was from the Imperial General Headquarters, first to Mr. Ramamurti's house and then to Mrs. Sahay's house, and finally to the Renkoji temple. There is no break in the chain..... There is, therefore, good reason to believe that the ashes that were taken out from the crematorium, Taihoku, on or about 21<sup>st</sup> of August, 1945, were the same ashes as were deposited at the Renkoji temple, Tokyo, on or about the 18<sup>th</sup> September 1945, and the very same ashes remain in that temple today."</p>



ashes to the temple in 1945 were strangers to him and they never met him after that.	Temple in 1951. He has submitted a photo of the urn. The Committee also took a photo of the urn in June 1956. The writing on all these photos 'NETAJI SUBHAS CHANDRA BOSE' appears to be identical. "			
Shri Aiyer had drafted the Domei dispatch on the basis of which Reuters circulated the alleged death news. This report was drafted by ~ without visiting the spot of the alleged crash and without meeting Habibur Rehman and that he drafted the report based on the report	-	-	-	Shri Aiyer was inter-viewed by Khosla Commission. In para 4.72 of the report it is mentioned that "The view expressed by him was that Netaji had, in fact, succumbed to injuries sustained by him in aircrash on the Taihoku airfield..... in conclusion I would repeat that I have not the faintest doubt in my mind that the ashes that are enshrined in the Renkoji temple in Tokyo are of Netaji's." In para 4.73 of the report it is mentioned "The witness has written a book 'UNTO HIM A WITNESS', and in this book also the witness reiterated his belief that Bose's plane had crashed and he had died at Taihoku."



of the Japanese officer.				The period in question was war time and planes were not easily available as it is today. So, he was unable to visit the place and rely on the report of the Japanese officer. This does not make the story of plane crash false or untrue.
Shah Nawaz Committee report was not unanimous as Suresh Chandra Bose submitted a dissent note.	-	-	-	In the Shah Nawaz Committee report the word used is "different". But the fact remains that on 2.7.1956 S.C. Bose agreed and signed the draft report to the effect that Netaji died in the plane crash.
The reasons given for delay in laying the report before the Parliament are shallow and the fact is that Govt. did not take this seriously.	-	-	-	This is not true. Govt. dealt with the report with all sincerity and seriousness. No soft copy of the report was made available by the Commission. Most of the annexures to the report were hazy and illegible. So, it took time to first prepare legible copies of the pages and then work like translation and printing could be commenced. The Hon'ble Member has not mentioned about the early adjournment of the Parliament which also stood in the way of laying the report within time.
Terms of reference were five and JMCI replied to four.	-	-	-	It is stated that (a) and (e) of the terms of references are inter-related. Point (d) was not answered for want of 'clinching evidence'.



<p>Govt. responded on only two points of the report. The Commission had narrated several instances in the report and has concluded that the plane crash story was a concocted one. The Commission even quoted a well-known journalist belonging to INTUC of that time.</p>				<p>Thus, the JMCI answered three points [(a &amp; e together), (b) and (c)] and Govt. replied to all the three viz. accepted that Netaji is dead (a &amp; e), did not accept that he did not die in the plane crash (b) and did not agree that the ashes in the Japanese temple are not of Netaji (c).</p> <p>The journalist referred to in the Hon'ble MP's speech appears to be Harin Shah. Shri Shah's name is mentioned in all the three reports and he appeared as a witness before the Committee. In all the reports it has been stated that he firmly believed that Netaji died in the plane crash and he mentioned that in his book "GALLANT END OF NETAJI".</p>
<p>Confusion has been created. Confusion regarding his death, confusion regarding the plane crash and confusion regarding the ashes in the Japanese temple.</p>	-	-	-	<p>The confusion is there because there is no record. There is no record regarding the plane crash, no record regarding the treatment in the Military Hospital, no cremation certificate, no death certificate (as death certificate contains some other name) etc. The period in question was a war time. Japan was devastated by atom bombs and surrendered to the Allied Forces. It is also mentioned that Japan wanted to keep the death of Netaji a secret. Naturally they would</p>



				ensure that no record was there. There is no doubt that every thing was in doldrums at that time and maintaining of records was definitely the last priority for the Japanese. Formosa was under Japan at that time and even if some records were there (if at all), they must have been destroyed by the Japanese before leaving the island. But the evidence of the witnesses pointed to the fact that Netaji died in the plane crash. Non-availability of records definitely does not make the facts false.
Files were not made available to the JMCI.	-	-	-	All available files were available and where files could not be produced, affidavits were filed regarding non-availability.
Netaji should be declared as the national martyr.	-	-	-	Netaji already occupies a very special place in the history and heritage of the country. He is respected by all Indians irrespective of political identity and views. Declaring him as the national martyr will not make him greater.



Points mentioned by Shri Subrata Bose	Comments in Shah Nawaz Committee report	Comments in Khosla Commission report	Comments in Mukherjee Commission report	Remarks
Comments of Mahatma Gandhi on Netaji's death "don't perform shraad'.	Nothing is mentioned	Nothing is mentioned	Nothing is mentioned	<p>Netaji was a charismatic leader and he was <sup>one</sup> dear to every because of his fiery <sup>patriotic</sup> character.</p> <p>Earlier <sup>also he had</sup> on a few <sup>escaped from his hands</sup> occasions he deceived the British. Thus, people had a notion that the plane crash was also a plan for his escape. In other words, people wanted him to be alive. This might have led Mahatma Gandhi to make the comment. In any case, it was</p> <p><i>under the watchful eyes of the British</i></p>



				not the stand of the Govt.
Noting in file by the then Foreign Secretary to the PM	-do-	-do-	-do-	-
Noting of Jawahar Lal Nehru in file	-do-	-do-	-do-	-
Confusion about date of cremation of Netaji	<p>Page 40 – “There is some discrepancy about the date of cremation. In his statement before us, Col. Habibur Rehman had given the date of cremation as 20<sup>th</sup> August, but in a statement signed by him dated 24<sup>th</sup> August 1945 and handed to Mr. Murti, the date was given as 22<sup>nd</sup> August. Mr. J. Nakamura definitely gives the date as 20<sup>th</sup> August. Dr. Yoshimi says that so far as he could</p>	<p>Page 123 – “The conclusion arrived at in the preceding chapters may now be set down as the findings of the Commission –</p> <p>-----</p> <p>(xvi) Bose had sustained burn injuries of the third degree and despite the efforts of the doctors to revive him, he succumbed to his injuries the same night.</p> <p>-----</p> <p>(xviii) Two days later, Bose's body was cremated and his ashes were carried to Tokyo in</p>	<p>“Since the documentary evidence on record proves that the cremation took place on August 22, 1945 and Habibur Rahman contradicted himself by giving a written statement earlier, mentioning August 22, 1945 as the date of cremation, reference to August 20, 1945 in his statement before the committee cannot be true.”</p>	<p>When Habibur Rehman appeared before Shah Nawaz Committee, more than ten years had passed and confusion about date might be out of forgetfulness. In any case, this does not disprove that the body was cremated.</p>



	<p>remember, it was the 20<sup>th</sup>, but he was not very sure. Major Nagatomo has not mentioned any definite date, but says that the cremation was done "on the same day, on receipt of the second telegram from the Imperial General Headquarters" – which appears to have been received on the 19<sup>th</sup> of August. It is unlikely that with so much argument, and change of orders, the body was cremated on the 19<sup>th</sup> i.e. the date following the death. The cremation is more likely to have taken place sometime</p>	<p>the beginning of September 1945 where they were deposited in the Renkoji Temple.</p>		
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	later.”			
Mahatma Gandhi said “Habibur Rehman told me what his leader ordered him to say”.	Nothing mentioned	Nothing mentioned	Nothing mentioned	This comment of Mahatma Gandhi must also be from the belief that Netaji was alive and that the plane crash story was to deceive the British.
Posthumus Bharat Ratna Award – When High Court wanted proof of Netaji’s death, Govt. could not produce the same.	-do-	-do-	-do-	-
Minutes of a meeting of India and Burma Committee of British Cabinet presided over by PM Attlee on October 25, 1945 (P. 402 of Transfer of Power). Netaji	-do-	-do-	This has been stated in Page 84.	Subsequently the British and American Intelligence Agencies made enquiries and came to the conclusion that Netaji died in the plane crash.



was termed a renegade.				This finds mention in Shah Nawaz Committee report at page 34 page 10.
Files not made available to JMCI	-	-	This has been stated in the report.	All available files/records/ documents were made available to the JMCI. When some records were not available, it was stated on oath in the form of affidavit.
S.C. Bose gave dissenting report, but that is not part of the Shah Nawaz Committee report.	Principal point agreed to for draft report by the Committee was signed by S.C. Bose on 2.7.56. Point Nos. 2 and 3 read as under- 2. Whether the plane crash did take place	-	-	Although Shri <sup>Subirato</sup> Bose has used the word "dissenting", in the Shah Nawaz report the word used is "different". But the fact remains that on 2.7.1956



	<p>– The plane carrying Netaji did crash. There is no other evidence to the contrary; the evidence should be considered carefully and in details..</p> <p>3. Whether Netaji met his death as a result of this accident – The witnesses support this story. There is no reason why they should be disbelieved. After a lapse of about 10 years, these witnesses who belong to different walks of life and to different nationalities – Habib, an Indian and subsequently a Pakistani, and the</p>			<p>S.C. Bose agreed and signed the draft report to the effect that Netaji died in the plane crash.q</p>
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	others, who are Japanese, who are mostly unconnected with one another and no longer in the service of their Government, and Japan not being a totalitarian State – would not be expected to state what was not true.			
Ex-PM Morarji Desai's speech in Parliament on August 28, 1978.	Nothing mentioned	Nothing mentioned	Appears at page 14 of the report.	No paper/ document based on which the Ex-PM made the statement in Parliament could be found in PMO, MHA and MEA.
Note in file No. 23(II)/56-57-PM dated 2.12.54 by M.O. Mathai – about receipt of Rs.200 odd and	-do-	-do-	Nothing mentioned	From the file No. provided by Shri Bose, it appears that the file was of the year 1956-57 and dated of



ashes. While money was deposited in INA Fund, nothing is known about ashes.				the note is of 1954. This is unlikely.
In the first meeting of the Committee on Netaji's birth centenary about building of a memorial and bringing of the ashes – Shri A.B. Bajpayee and Smt. Mamata Banerjee opposed and this was dropped and no further meeting of the Committee was held..	-do-	-do-	-do-	-
Kolkata High Court's order and adoption of resolution by West Bengal Legislative Assembly regarding setting up of the	-	-	Mentioned about the order of Kolkata High Court dt. 30.4.1998 and unanimous resolution of WB Legislative Assembly on 24.12.1998 in	Regarding the process of selection of the Chairman of the JMCI, it is stated that this is not part of the report.



JMCI. Chief Justice of Supreme Court was requested to name the Chairman and he gave the name of Justice M.K. Mukherjee.			Chapter One of the report under the heading "Preamble".	
For one year accommodation was not provided to the Commission by the Govt. and Govt. of WB helped the Commission get the accommodation.	-	-	Mentioned in the report briefly in Chapter Two of the report under the head The Inquiry (a) Preliminaries.	The period in question relates to the earlier Government.
JMCI visited Japan, U.K., Taiwan and Russia for the purpose of the inquiry.	-	-	-	Also visited Bangkok. It has been mentioned in the report itself (Page 34 – para 2.9.3 end) "While returning from Taipei the Commission also visited Bangkok and examined a witness there."



Dr. Yoshimi, the doctor who treated Netaji in the Army Hospital, stated to JMCI that he did not know Netaji.	He was examined and "In fact describing this poignant scene before the Committee, Dr. Yoshimi himself broke down and sobbed audibly." (Page 39 – Para 1 (Middle))	He was examined and the Commission has stated that "But the important point is that there was no reason whatsoever for Dr. Yoshimi to make up wholly false story and depose to it on oath. Dr. Yoshimi struck me as an eminently respectable individual whose status in life and whose professional pride would prevent him from committing perjury in a case with which he was in no way personally or nationally concerned." (P.34 – para 4.64 end) He was also described as "a most convincing witness of truth." (P.49 para 4.128 end)	-	He was cross-examined by JMCI, but this is not mentioned. The questions and answers are at page 70 of the report.
Death Certificate dated August 18, 1988 was given by Dr. Yoshimi to	-	-	No mention in the report.	There is, however, mention about this certificate at



facilitate bringing the ashes to India.				page 75 of the report.
Dr. Yoshimi was asked "Is it fair to issue a death certificate after 43 years." Dr. Yoshimi replied in the negative.	-	-	Not mentioned in the report.	But it is mentioned that Dr. Yoshimi admitted that it was a photo copy and when asked why it was given, he said that he did not remember. (Page 75 of the report)
During UK visit it was informed to the JMCI that the reports will be opened after 2020.	-	-	Nothing is mentioned about this.	-
Two files were withheld from JMCI by Govt. on the plea that "Information contained in these files if disclosed will affect relations with friendly countries."	-	-	Nothing is in report.	It has, however, been mentioned in the report that "During inspection of the records, the Commission, however, was not given access to



				two files, as they were marked "closed". (Page 18 end)
During Taiwan visit it was informed to JMCI that no report about plane crash on 18.8.1945.	-	-	Mentioned about this in the report (Page 95 top)	
DNA testing – temple authority was non-cooperative.	-	-	Commission has used the word "reticence". (Page 31 end)	
When Ministry of Finance was approached for financial help for maintenance of the ashes in Renkoji Temple, it was refused as there is no proof that those are Netaji's ashes.	-	-	No mention in the report.	However, from para 7 of the English translation of pages 225 – 238 (annexed at the end of the report) it is seen that the Chief Priest of Renkoji Temple has stated "Needless to say, I hope that the remains must be





				treated with respect and dignity when a research is conducted. I think we should offer prayers showing due respect when the remains are pulled out for the DNA test." Thus, it appears that the temple authority had no reservation about carrying out the DNA test.
Dr. Yoshimi cried before the JMCI that his name should not be reported to the Medical Council.	-	-	Nothing is mentioned	Considering the fact that Dr. Yoshimi would be about 90 years of age when JMCI had cross-examined him in Japan (assuming he was in his



				early thirties in 1945 when he was head of the Military Hospital at Taiwan), this appears to be most improbable. This belief becomes all the more stronger when this comment of Shri Bose is juxtaposed against the those of Shah Nawaz Committee and Khosla Commission.
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**NOTE:** HM had intervened twice during the speech of Shri Subrata Bose. On the first occasion, he got it admitted by Shri Bose that Shri Suresh Chandra Bose initially agreed and signed that Netaji died in the plane crash. On the second, he mentioned in the House that when he had personally requested Shri M.K. Mukherjee to indicate the documents/papers wanted by him, he did not say anything. Shri Subrata Bose's reply to that was that it was not for Shri Mukherjee to indicate the papers and that it was for the Govt. to supply the same.





शिवराज पाटील  
SHIVRAJ V. PATIL  
गृह मंत्री, भारत  
HOME MINISTER, INDIA

May 15, 2006

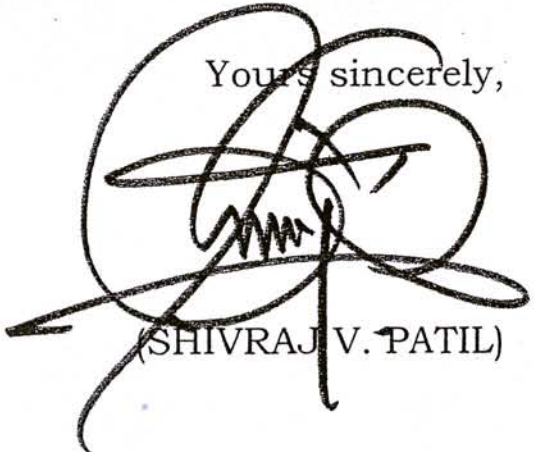
To,

The Hon'ble Speaker,  
Lok Sabha,  
New Delhi.

Sir,

I give notice of my intention to lay on the Table of Lok Sabha the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose, along with the Action Taken Report and the Statement of reasons for delay in laying the Report, on 17<sup>th</sup> May, 2006.

Yours sincerely,



(SHIVRAJ V. PATIL)